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Maryland Lynching Truth and Reconciliation Commission



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Simone Barrett, Ph.D.
DeNeen L. Brown
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Elizabeth Hughes
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September 21, 2020

The Honorable Lawrence J. Hogan Jr.
State House
100 State Circle
Annapolis, MD 21401

The Honorable Bill Ferguson
President of the Senate
State House, H-107
100 State Circle
Annapolis, MD 21401-1991

The Honorable Adrienne A. Jones
Speaker of the House
State House, H-101
State Circle
Annapolis, MD 21401-1991

Re: Report required by HB 307/Ch. 41, 2019 (MSAR # 12223)

Dear Governor Hogan, President Ferguson, and Speaker Jones,

The Maryland Lynching Truth and Reconciliation Commission (MLTRC) is pleased to submit the enclosed report, which constitutes MSAR # 12223. The report is required by HB 307/Ch. 41, 2019 (MSAR # 12223): "(h)(1) On or before September 1, 2020, the [Maryland Lynching Truth and Reconciliation] Commission shall submit an interim report of its findings and recommendations to the Governor and, in accordance with § 2-1246 [now § 2-1257] of the State Government Article, the General Assembly. The delay in submission is due to the need for final verification of information germane to the report. The MLTRC submits the attached interim report, which provides a thorough summary of the Commission's activities to date.

Sincerely,

David O. Fakunle

David O. Fakunle, Ph.D.
Chair

Charles L. Chavis, Jr.

Charles L. Chavis, Jr., Ph.D.
Vice Chair

Maryland Lynching Truth and Reconciliation Commission Interim Report

September 18, 2020



The NAACP's flag flies on Fifth Avenue, in 1936. *Courtesy of the Library of Congress*

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A MESSAGE FROM COMMISSION LEADERSHIP

Pursuant to the authority vested in the Maryland Lynching Truth and Reconciliation Commission (MLTRC) under Chapter 41, Acts of 2019, we have the honor of submitting the Interim Report highlighting the progress of the Maryland Lynching Truth and Reconciliation Commission.

House Bill 307 established the Maryland Lynching Truth and Reconciliation Commission to research cases of racially motivated lynchings and to hold public meetings and regional hearings where a lynching of an African American by a white mob has been documented. In one year, the Commission took significant strides towards building the foundation and infrastructure necessary for the monumental task we have been assigned. From the selection of our four public commissioners to the implementation of protocols for receiving and maintaining relevant materials from the community at large, every action of the Commission was an effort to create a genuinely collaborative process by which any entity, institution or person can share their insight, resources, and commitment to elevating the truth of racial terror lynchings: a painful, traumatic and generationally-defining truth, but a **necessary** truth nonetheless.

We are grateful to Del. Joseline Peña-Melnyk and her legislative colleagues for their courage in calling for the State of Maryland to officially bring justice to this aspect of its history, making this Commission the first of its kind in the United States. We are grateful to the Maryland Lynching Memorial Project for championing the charge to acknowledge and recognize the past from which we have come. We are grateful to Maryland's county-level racial terror lynching memorial coalitions, who continue to do the groundwork which demands that these events are always remembered. We are grateful to those in the media who have chronicled our journey and helped amplify our message. We are grateful to the descendants of the victims, whose trust we earned and will continue to earn in honoring the legacy of their fallen loved ones, and we are grateful to the descendants of participants and spectators, who want to be on the right side of history, and members of this movement for justice.

Finally, we are grateful to the MLTRC staff and our fellow commissioners for their support, patience, and guidance as we navigate this journey, one that may very well define our careers and lives. The magnitude of this moment is not lost on any of us, and we are not only committed to the unapologetic telling of the stories of racial terror lynchings in Maryland but the unapologetic demand for a referendum on racism in the United States. In the spirit of the Adinkra symbol Sankofa, we **must** reach back to move forward...to heal, to grow, to prosper, to be free.

David Fakunle, Ph.D., Chair,
Charles Chavis, Ph.D., Vice Chair



COMMISSION MEMBERS

As mandated by law, the Commission is currently composed of eighteen members representing various government agencies, non-profits, and academic institutions. Commissioners serve a 3-year term set to expire June 30, 2022. The Commission is required to submit an interim report after one year and at the end of the term a final report of its findings and recommendations to the Governor and the General Assembly on or before December 1, 2021.

David Fakunle, Ph.D., Chair

The National Great Blacks in Wax Museum

Charles L. Chavis, Jr., Ph.D., Vice-Chair

George Mason University (Public Member)

David Armenti

Maryland Historical Society

Damika Baker

*Reginald F. Lewis Museum of African
American History and Culture*

Iris Leigh Barnes, Ph.D.

Lillie Carroll Jackson Civil Rights Museum

Simone Barrett, Ph.D.

Morgan State University

DeNeen L. Brown

*University of Maryland College Park
(Public Member)*

Nicholas Creary, Ph.D.

Maryland Lynching Memorial Project

Roger Davidson, Ph.D.

Bowie State University

Maya Davis

Maryland State Archives

Omar Eaton-Martinez

American Alliance of Museums

*Maryland National Capital Parks and
Planning Commission (Public Member)*

Kirkland Hall, Sr. Ph.D.

*University of Maryland Eastern Shore
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University of Maryland Eastern Shore

Rev. Tamara E. Wilson, D.Min.

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Maryland Lynching Memorial Project

If no other reason appealed to the sober sense of the American people to check the growth of Lynch Law, the absolute unreliability and recklessness of the mob in inflicting punishment for crimes done, should do so.

-Ida B. Wells

BACKGROUND

In 2015, the Equal Justice Initiative (EJI), under the direction of its Founder and Executive Director Bryan Stevenson, issued its landmark report on “Lynching in America.” In the process of compiling that report, EJI documented more than 4,400 racial terror lynchings in the United States between the end of Reconstruction and 1950. Although its first report concentrated on the eleven Confederate states and Kentucky, EJI also identified 28 lynchings in the state of Maryland.¹

Independent of and predating the efforts of EJI, David Taft Terry, Ph.D., the former director of the Legacy of Slavery in Maryland Program at the Maryland State Archives (MSA) (2001–2004), documented lynchings in the state of Maryland. He led the effort to create *Judge Lynch’s Court*, a digital exhibit and database documenting the legacy of lynching in Maryland. This initial study provided the foundation for other lynching studies and complemented existing studies and scholarship including the groundbreaking work of Sherrilyn Ifill, Esq. noted civil rights attorney and author of “Creating a Truth and Reconciliation Commission for Lynching” (2003) and *On the Courthouse Lawn: Confronting the Legacy of Lynching in the Twenty-first Century* (2007).² Further, in June 2016, the Lillie Carroll Jackson Civil Rights Museum in Baltimore, an off-site unit of Morgan State University, unveiled its exhibition on Maryland lynchings that galvanized Baltimore’s civil rights leaders in the 1930s. It revealed more than 40 Maryland lynchings. Later that same year, Nicholas Creary, Ph.D., then of Bowie State University, led a small group of students, in conducting a more comprehensive study of racial terror lynching in Maryland, the “Free State.” In 2016, Dr. Creary published a report that identified a total of 40 lynchings in Maryland between 1854 and 1933.³ (There is now evidence of at least 42 such murders.)

Until these reports, the dark history of racial terror lynching in America and in Maryland was largely ignored or denied. In an effort to elevate this important history and the influence the legacy of lynching continues to exert in contemporary life, the Maryland Lynching Memorial Project (MLMP) was created in 2018. An important goal of the MLMP is to advocate for the public acknowledgement of these crimes to help Marylanders know and confront the truth about this shameful history. As Bryan Stevenson has noted, “truth and reconciliation are sequential,

¹Equal Justice Initiative, *Lynching in America: Confronting the Legacy of Racial Terror*, 2015 (1st Edition); Equal Justice Initiative, *Lynching in America: Confronting the Legacy of Racial Terror*, 2017 (3rd Edition), 4.

²Sherrilyn A. Ifill, “Creating a Truth and Reconciliation Commission for Lynching,” 21 *Law & Ineq.* 263 (2003); Sherrilyn A. Ifill, *On the Courthouse Lawn: Confronting the Legacy of Lynching in the Twenty-First Century*, (Boston, MA: Beacon, 2007).

³Nicholas M. Creary et. al, *Strange Fruit in the ‘Free State’: A History of Lynching in Maryland, 1854-1933*, 2016.

that is; until we acknowledge the truth about this devastating history, we will not be able to achieve meaningful racial reconciliation in this state or in this country.”

It was against this backdrop that Delegate, Joseline Peña-Melnyk (D, District 21), introduced the legislation for HB 307 to create the Maryland Lynching Truth & Reconciliation Commission (MLTRC). Thanks to her leadership, the legislation passed both houses of the Maryland General Assembly without a single dissenting vote. Governor Larry Hogan signed the bill into law on April 18, 2019 and the Commission assembled in Annapolis for the first time on August 12, 2019.

The Commission is the first of its kind in the United States, and as such, holds the potential to serve as a model for communities across the country that continue to bear the weight of the brutal history of racial terror lynching. The Commission has been tasked with expanding the documentation and public understanding of the 42 known cases of racial terror lynching in Maryland through archival and community-based research, including public hearings in communities where racial terror lynchings have taken place, and developing recommendations for addressing, engaging, and reconciling the communities affected by racially motivated lynchings.

Specifically, the Maryland Lynching Truth and Reconciliation Commission will investigate the lynchings that occurred, in Maryland, from 1854 to 1933. Sub-section “F” of the authorizing statute provides three specific mandates. These are as follows:

- The Commission will hold regional hearings that are open to the public. And such hearings are to occur in such locales where “. . . a lynching of an African American by a white mob has been documented.”
- The Commission will receive recommendations from the communities impacted individually or collectively by lynchings as to how to “address, engage, and reconcile” such lynching, including, through the erection of memorial markers.
- The Commission will deliver recommendations for addressing the legacy of lynching that are rooted in the spirit of restorative justice.”

The Commission staff provided by the Office of the Attorney General “may issue a subpoena for the attendance of a witness to testify or for the production of documents in connection with any investigation or hearing conducted by the Commission...”⁴

In addition to the specific regional hearings required under the authorizing statute, two broad thematic related hearings will take place:

1. The role of the legal system
2. The role of the media

⁴House Bill 307 (Maryland Lynching Truth and Reconciliation Commission) Maryland House, June 1, 2019 (Maryland, 2019); <https://legiscan.com/MD/text/HB307/id/2005426/Maryland-2019-HB307-Chaptered.pdf>.

The Commission must submit a final report on its findings and recommendations to the Governor and the General Assembly on December 1, 2021 and will expire on June 30, 2022.

It was therefore fitting for the Commission to hold its kickoff at one of Maryland's esteemed law schools, the University of Baltimore School of Law. Notably, Sherrilyn Ifill, delivered the keynote address and "book talk," highlighting her seminal opus, *On the Courthouse Lawn: Confronting the Legacy of Lynching in the 21st Century*,⁵ which documents and discusses the role of the law and of the judicial system in fostering and supporting lynchings. The Commission agrees with this civil rights luminary that it is historic to have its work undergirded by the imprimatur of government; ensuring this as a collective process with a real opportunity for substantive redress.⁶ In spite of the impact of COVID-19 and its required closures, the Commission has a critical and heavy workload with a final report due to the Maryland General Assembly and the Maryland Governor.⁷

WORK OF THE COMMISSION

TIMELINE OF TASKS:

Delegate Joseline Peña-Melnyk's (D-Anne Arundel and Prince George's Counties) House Bill 307 received overwhelming bipartisan support in the Maryland House of Delegates and passed the Maryland Senate with a unanimous vote. Governor Larry Hogan signed HB 307 into law, creating the nation's first statewide truth and reconciliation commission empowered to investigate racial terror lynchings and address the legacy of systemic racism.

The Commission accomplished the following tasks during its first year (FY2020):

- Appointed Acting Chair, David Fakunle, Ph.D.
- Adopted bylaws to govern the work of the Commission
- Established committees
- Selected four public members
- Elected officers
- Submitted application for the Emmett Till Cold Case Investigations Program Grant
- Developed evidence collection form
- Sent requests and letters to local repositories and historical societies for lynching-related records

⁵ Ifill Sherrilyn A. *On the Courthouse Lawn: Confronting the Legacy of Lynching in the 21st Century* (2007), available at <https://digitalcommons.law.umaryland.edu/books/33/>

⁶ Allison Hagen, Here and Now: Interview with Sherrilyn Ifill, Radio Boston, Sept. 12, 2019, <https://www.wbur.org/hereandnow/2019/09/12/maryland-commission-sets-out-to-investigat-ey-states-lynching-history>

⁷ Under the authorizing statute, the Commission must deliver this final report by December of 2021. The Commission will request that the Maryland General Assembly extend this deadline to December 2022 in light of COVID-19 and its global impact on our civil institutions.

- Met with local county coalition leaders
- Developed recommendations on the public hearing process,
- Drafted a proposed budget
- Established a web presence
- Instituted a workflow and records management system allowing members and the public to offer documentary material to the commission and ensuring that the records collected are adequately inventoried and made accessible.

COMMITTEES ESTABLISHED

Public Hearings Committee

Members: Timothy Baker (Chair), Damika Baker, DeNeen Brown, Maya Davis, Elizabeth Hughes, Gary Norman, Tamara E. Wilson

The Public Hearings Committee is charged with coordinating logistical matters associated with conducting the public forums called for in the legislation which created the Commission. This coordination may include areas such as venue/site selection, public outreach, recording the sessions, and ensuring accessibility. The Commission created the Public Hearings Committee to help work through the detailed coordination of the many aspects of the Commission’s work.

Reconciliation and Justice Committee

Members: Charles Chavis (Chair) David Fakunle, Nicholas Creary, Omar Eaton-Martinez, Kirkland Hall, Carl Snowden

The Reconciliation Committee is charged with making recommendations and developing an implementation plan for reconciliation and restorative justice for local communities and the state of Maryland around the legacy of racial terror lynching. This plan embraces a framework that views reconciliation and justice on a spectrum moving from minimalist to deliberative to maximalist processes of reconciliation.

Research Committee

Members: Elgin Klugh (Chair), David Armenti, Iris Barnes, Simone Barrett, Roger Davidson, Marshall Stevenson.

The Research Committee is charged with gathering information about each of the identified cases of racial terror lynching in Maryland. For the purposes of the committee’s work, **racial terror lynching** is defined as the unlawful killing of an African American by white mob violence, often with the apparent complicity of state and local officials, intended to incite racial terror and subservience to white supremacy. Information gathered by the Research Committee will provide a foreground of understanding for public hearings, and will be shared and interpreted, as appropriate, via the Commission website.

SELECTION OF PUBLIC MEMBERS

The Act creating the MLTRC required that the Commission include “four members of the public, selected by commissioners and appointed by the Governor.”

Pursuant to this requirement, the Commission encouraged interested applicants to submit the following materials:

- Statement of interest outlining history and involvement in issues of racial justice
- Current resume or curriculum vitae; and
- Valid email address and phone number

The four public members selected to serve on the Commission are DeNeen Brown, Charles Chavis, Ph.D., Omar Eaton-Martinez, and Kirkland Hall, Ph.D.

ELECTION OF OFFICERS

House Bill 307 requires that the chair of the Commission be elected from among the members of the Commission. Commissioners also agreed to elect a Vice-Chair. Thus, the officers of the Commission shall be the Chair and the Vice Chair, who are each elected by a majority vote of the Commission members. Additional officers deemed necessary or essential to the work of the Commission may be established by the Commission at any time.

The Commission established a process for selecting the Chair and Vice Chair. The election of Chair and Vice Chair of the Commission took place during two separate administrative sessions of the Commission. The election of the Chair occurred during the March 10, 2020 Commission meeting. The election of the Vice Chair occurred during the April 13, 2020 meeting. During those sessions, candidates for Chair and Vice Chair positions were given the opportunity to make oral statements to the full Commission regarding their candidacy.

The Commission conducted the election by means of a closed ballot system: each Commissioner submitted a paper ballot with the name of the Chair or Vice Chair candidate for whom they were voting. Staff then counted the votes and the candidate receiving the most votes became the Chair or Vice Chair. The successful candidates began serving in their new roles at the following full Commission meetings.

COMMISSION MEETINGS

Meetings of the Commission occur monthly on the second Monday of each month from 11:30 AM -1:30 PM. Due to the COVID-19 pandemic, the business meetings resumed virtually via the Webex platform. All business and committee meetings are open to the public with login information shared on the Commission website. As part of its general operating procedure, the Commission offers an opportunity for the public to express their views at each meeting during a public comment period.

WEB PRESENCE ESTABLISHED AND RECORDS MANAGEMENT PROCESS ADOPTED

A small workgroup within the Maryland State Archives created a website for the Commission:

<https://msa.maryland.gov/lynching-truth-reconciliation/index.html>

Among other things the website:

- Provides public notice of Commission meeting dates and activities,
- Serves as the repository and dissemination point for public documents, including but not limited to minutes, agendas, and bylaws,
- Links to other resources and affiliated organizations, and
- Serves as a means for uploading research documents and materials.

This same workgroup, in consultation with Commission members, developed a framework to govern how records are to be managed and disseminated. The framework has the records of the Commission divided into two broad categories.

(1) Business records of the Commission:

- Meeting agendas/minutes
- Commission roster
- Commission legislation
- By-laws
- Subcommittees
- Press coverage on the Commission and/or Lynchings in Maryland
- Organization of public hearings
 - Sign up/Speakers list for public hearings
 - Transcript of public hearings
 - Video/Audio files of hearings and/or meetings
- Reports (Interim and Final)
- Correspondence and submissions from the public (including email, mail, research, oral histories, photos, objects, reports, news clippings, etc.)

(2) Materials Related to the Research Conducted by the Commission and Donated to the Commission:

- Newspaper coverage of lynchings
- Letters
- Oral Histories
- Photographs
- Government Documents

- Manuscripts
- Publications
- Research notes
- Miscellaneous (i.e. PIA requests)
- Objects (Anything other than paper, electronic, recordings)

All records donated to the Commission will be processed, cataloged and stored at the Maryland State Archives, consistent with archival procedures and standards recommended by the Society of American Archivists.⁸ Upon receipt the Maryland State Archives will be responsible for the following:

- Each item will be given a tracking number
- If the material is coming from the public and the intention is to return the material once it is scanned, it should be receipted
- Materials will be given a collections or series unit number
- Materials given a description
- Materials will be properly foldered (electronically or in hard copy)
- Hard copy materials will be digitized; objects photographed

DEVELOPMENT OF ONLINE DATA COLLECTION FORM FOR EVIDENCE

Research materials gathered or created by the Commission will follow a set standard operating procedure workflow to ensure documents are inventoried and made accessible to all. The “Resource Uploader” can be found at the “Contact Us” link on the MLTRC website.

<http://feedback.msa.maryland.gov/lynching-truth-reconciliation/pages/contact.aspx>

GRANT APPLICATION

Maryland’s Office of the Attorney General (MOAG) in partnership with the MLTRC, is seeking funding to expand the documentation of cases of racial terror lynching in Maryland and to support affected communities in seeking restorative justice and reconciliation in the aftermath of these murders.

In May of 2020, MOAG submitted an application on behalf of the Commission to the Emmett Till Cold Case Investigations Grant Program of the U.S. Department of Justice. The Commission would use the grant to fund the investigation of the over forty unsolved racially-motivated lynchings that were committed in the state of Maryland focusing specifically on the 20th century

⁸“Records Transfer - Records Management and the State of Maryland.” Accessed September 17, 2020. https://msa.maryland.gov/msa/intromsa/html/record_mgmt1/transfer.html; “Standards & Best Practices Resource Guide | Society of American Archivists.” Accessed September 17, 2020. <https://www2.archivists.org/groups/museum-archives-section/standards-best-practices-resource-guide>.

lynchings of three African American men: Jacob Henson (murdered in Ellicott City in 1895), Matthew Williams (murdered in Salisbury in 1931), and George Armwood (killed in Princess Anne in 1933).

REQUESTS TO LOCAL REPOSITORIES

Letters were sent out to local institutions and repositories, including universities and historical societies to request information concerning evidence and resources pertaining to the cases of racial terror lynching that occurred in Maryland.

ADDITIONAL COMMISSION ACTIVITY

Commissioners have also attended various events around the state to promote the work and research of the Maryland Lynching Truth and Reconciliation Commission.

August 2019

- First meeting of the Maryland Lynching Truth and Reconciliation Commission - Maryland House of Delegates

September 2019

- Launch of the Maryland Lynching Truth and Reconciliation Commission- University of Baltimore Law School

November 2019

- Del. Peña-Melnyk public address in the Ella Fitzgerald Performing Arts Center - University of Maryland Eastern Shore

April 2020

- Collaboration meeting between the Maryland Lynching Truth and Reconciliation Commission and the Maryland Lynching Memorial Project Coalitions - Meeting held virtually via Zoom

May 2020

- Chair David Fakunle, Ph.D. spoke as a guest briefer at the board meeting for the Maryland Commission on Civil Rights

June 2020

- Chair Fakunle served as the keynote speaker at the *Common Ground on the Hill* symposium

July 2020

- Chair Fakunle presented at the Banneker-Douglass Museum Youth Conference

September 2020

- The Commission hosted, *Lessons of Lynching*, an outreach event and panel to discuss the tragic circumstances, residual vestiges, and frightening reminders of the bigotry which allowed these acts to occur without redress in the 19th and 20th century history of our state.

WHAT WE HAVE LEARNED

The Commission is charged with: (1) holding public hearings in areas where a lynching of an African American by a white mob has been documented; (2) receiving recommendations from the public, including families and communities affected by lynching, for addressing, engaging, and reconciling affected families and communities, and making recommendations for addressing the legacy of lynching that are rooted in the spirit of restorative justice.

Consistent with this mandate and charge, the Commission has reached out to local historians, relatives of victims and cultural repositories, and archival institutions throughout the state and the nation seeking support of our efforts to document and research racial terror lynching cases throughout the state of Maryland.

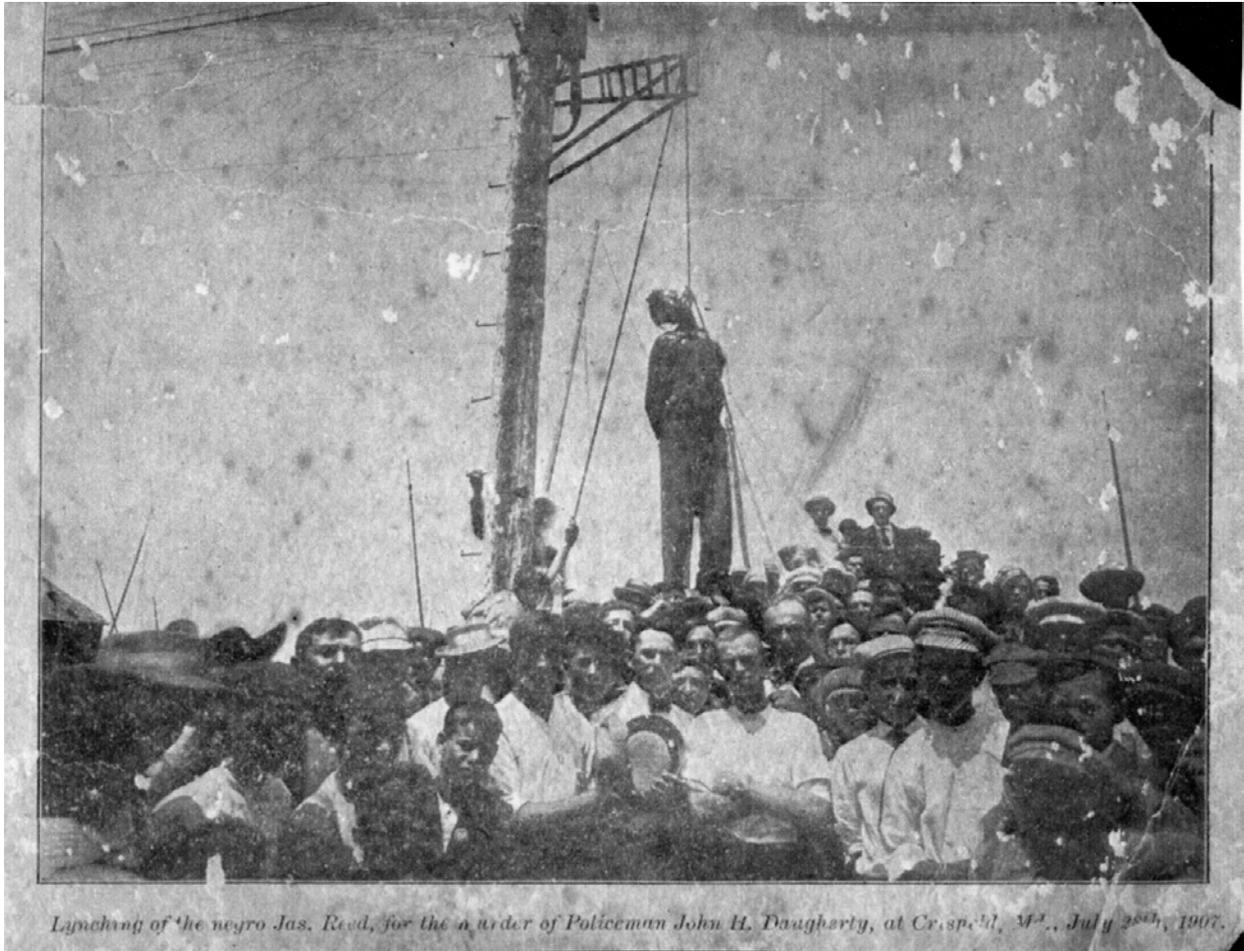
To date, through the MLTRC “Resource Uploader” the Commission has received documentation pertaining to the following racial terror lynchings in the state of Maryland from both private and public institutions:

Name of Victim	Date of Lynching	County
Isaac Kemp	June 8, 1894	Somerset
William Andrews	June 9, 1897	Somerset
Garfield King	May 25, 1898	Wicomico
James Reed	July 28, 1907	Somerset
Matthew Williams	December 4, 1931	Wicomico
Unknown	December 4, 1931	Wicomico
George Armwood	October 18, 1933	Somerset

This evidence includes diaries, oral history interviews, newspaper clippings, photographs, and postcards. Below you will find photographs from some of the earliest known lynchings identified by the Maryland Lynching Truth and Reconciliation Commission documenting the lynchings of William Andrews (1897) and James Reed (1907) on Maryland’s Eastern Shore.



Photograph taken at the lynching of William Andrews, June 9, 1897 in Princess Anne, MD; Courtesy of The Edward H. Nabb Research Center for Delmarva History and Culture at Salisbury University. (See <https://libraryguides.salisbury.edu/c.php?g=1056210&p=7674242>)



Postcard/Photograph of lynching of James Reed, *Cristfield Times*, August 3, (1907). Courtesy of The Edward H. Nabb Research Center for Delmarva History and Culture at Salisbury University. (See <https://libraryguides.salisbury.edu/c.php?g=1056210&p=7673558>)

BUDGET REQUEST

With the creation of the Commission, Maryland is at the forefront of national lynching reconciliation efforts. As the first state to conduct a coordinated, state-sponsored outreach effort to solicit input from local communities on the legacy of lynching, Maryland serves as the leader and an example for the nation. In order to ensure that these public hearings are successful, sufficient resources must be provided to ensure that they are well publicized and that all participants have access, feel comfortable and are in a safe environment. The sensitive subject matter to be addressed in these hearings requires careful attention to detail in the planning and execution of these events.

Although HB307 tasked Bowie State University with staffing the Commission, no appropriation was attached to the bill which would support the Commission in carrying out its mission. Costs associated with Commission tasks such as public hearings include expenses for advertising, space rental and security, equipment rental, and transcription services.

In addition, members of the Commission include a broad range of public and private sector representatives – some of whom travel a significant distance to attend monthly meetings. Funding to permit mileage reimbursement for those members who are not state employees is needed in order to ensure their continued service on the Commission.

The Commission intends to pursue legislation during the 2021 session to provide funding to support the Commission’s work and to extend the Commission’s termination date by one year.⁹

NEXT STEPS

The Commission will continue its work of reaching out and working with members of the public as well as private and public institutions. As we gather additional evidence pertaining to each individual case we will continue to center around salvaging the humanity of the lynching victims, their families and their community. We will begin working closely with genealogists and local historians to identify potential relatives and or descendants of victims. We are also in the process of scheduling oral history interviews with potential relatives and/or descendants of lynching victims throughout the state of Maryland. In spite of the current constraints presented as a result of Covid-19, this commission is committed to holding public hearings in communities where lynchings took place and to providing recommendations to the Governor and the General Assembly that will promote racial healing and social transformation throughout the state of Maryland. **(See Commission Public Hearing Timeline)**

List of Appendices

Appendix A - Logistics Committee Public Hearing Template

Appendix B - Research Collection Plan

Appendix C - Draft Letter to Local Repositories and Cultural Institutions

⁹ The Commission sought funding and an extension during the 2020 legislative session but unfortunately the bill was never heard as the session was cut short due to the COVID-19 pandemic.

Appendix A- Logistics Committee Public Hearing Template

The Public Hearing Process

The Committee recommended that the Commission adopt this draft template for our hearing agendas and for the Commission's receipt of testimonials and supporting documentation. This draft template is meant to provide guiding principles for the conduct of our public hearings recognizing that each of the meetings may be structured slightly differently based on our known research, the interest of the community we will be visiting, and the input from our local coalition partners.

The Logistics Committee feels that the success of the hearings will depend on fully engaging the Coalitions associated with the Maryland Lynching Memorial Project. The Coalitions will be relied upon to provide support in a variety of important ways, some of which are identified in this template document.

Feedback will be sought on the following issues:

- Hearing venue: Where should these hearings be held? What type of venue would be most welcoming for informants? Are there particular venue suggestions? Do any of these venues have live streaming/audio visual capabilities? Setup of the venue should also be considered. Individuals offering testimony should be speaking directly to the Chair and some members of the commission. It may also be desirable to have some of the Commission members among the hearing participants.
- Outreach: How should these hearings be marketed? How can we ensure that affected communities are made aware of these hearings and come out to provide testimony? What local organizations can assist the Commission in spreading the word about the hearings?

To ensure consistency, the Commission suggests a single program agenda and approach that would be implemented at each hearing event. The program should consist of four components:

1. Opening

The first speaker (a Commissioner) will provide background information regarding why and how the Commission was created; describe the Commission's mission and expected outcomes of the Commission's work; and outline hearing goals, ground rules and procedures.

2. History Overview

The second speaker (A Research Committee member or other designated presenter) will provide an overview of the lynching events in the region/counties where the hearing is taking place. This overview will include specific details of the lynching occurrence(s), including victims' names, conditions surrounding the lynching event (location, timing, etc.), and what we know about those institutions complicit in allowing the event to proceed and perpetrators to go unpunished.

Option: Identify researchers / presenters who are not necessarily commissioners but perhaps are part of the Coalition community.

3. Testimony

The third speaker (ideally a professional facilitator) will solicit public testimony from the audience regarding what is known about local lynching occurrences and what the impact of the legacy of lynching has been on the local community. Members of the public will be invited to sign up to speak in advance of the meeting; once those members of the public have had their say, the facilitator will invite others in the audience who did not sign up to speak to provide testimony if they so desire. Written testimony will also be solicited.

The Testimony component will be structured to provide invited participants an allotment of time to present. Priority will be given first to the descendants of victim(s). Following the structured portion, participants will be invited to present based on a sign-in sheet.

The Commission should investigate how South Africa's Truth and Reconciliation Commission crafted its hearing schedule and program in order to learn how witnesses and survivors were given the opportunity to provide their testimony and what Commissioners did or said in response to hearing that testimony. Hearing informants need to feel they are not speaking in a vacuum; they should feel they are heard at that very moment. There should be no delay between the giving of testimony and receiving public acknowledgement of the informant's pain.

There will need to be ongoing discussion to determine what can be done during the hearings to recognize and validate the trauma the family member or witness has experienced and is sharing with the group. What can be done or said in that moment to help the person heal? Is simply asking the person what they need in order to heal – what reconciliation actions would be meaningful to them – enough? Would a call and response-type approach like that used in a libation ceremony, whereby everyone at the hearing speaks aloud a predetermined statement of affirmation, be desirable? The Logistics Committee feels that further discussion is needed.

4. Next Step Recommendations

The fourth speaker (possibly a member of the Commission's Reconciliation Committee) will ask audience members to propose recommendations for addressing the legacy of lynching in their communities – suggesting the wide range of outcomes that could be considered. For this part of the hearing, the audience could be divided into working groups with group leaders to brainstorm and record ideas on a flip chart. After a period of time, each group leader will report their group's recommendations to the audience. Alternatively, audience members could be given post-it notes to record their ideas; the notes could be attached to a large sheet of paper, reorganized by category of proposed action, and then reported to the group at the end of the meeting.

5. Concluding

The presiding commissioner should offer some conclusion and resolution at the end. The hearings should be a chance for history to be revealed, and everyone should come away with more knowledge than when they arrived. Consider closing with a group song (i.e. "Lift Every Voice and Sing").

Parameters of Conversation

The focus of the conversation must be on the racial terror lynchings as laid out in House Bill 307. Individuals will want to compare the lynchings to present-day issues. The Commission should briefly address the connection between racial terror lynchings and the present day. However, it is important that the conversation be driven in the direction of the intended focal point. Make sure to be compassionate as we are firm about the focus of the hearing, which is the sharing of facts about each lynching in a specific region.

Meeting Logistics

- Time: Plan for three hours
- Possible locations: Churches, schools and community colleges, senior centers or community centers
- Participants: Family members of victims and perpetrators of lynchings, state, local, and county officials
- Other invitees: Faith communities, historical societies, colleges, and the press
- Security: Law enforcement should be made aware of the event, and a request for security detail should be made.
- Accessibility: All hearing venues must be accessible.
- Recording of the event: A recording of each hearing will be made with the goal of having a complete written transcript of each.
- Collection of materials: The Research Committee of the Commission has established a formal workflow to ensure all records and research materials are inventoried, saved and made accessible to all.
- Refreshments: Some form of refreshments (water bottles, coffee, cookies, etc.) should be provided for these meetings.

Additional Hearings

Consideration should be given to scheduling follow-up hearings as a way of sharing what has been learned. It would also afford the opportunity for “institutional” hearings or panel discussions, examples of which may include:

- Judicial / Legal / Law Enforcement community seminars and presentations
- Press Community sessions for sharing what we have learned

The Commission should both develop a means for the local Coalitions and our Research Committee to continue the dialog and institute a variety of avenues for others to add their voices and narratives to the work of the Commission. These activities may include:

- Receipt of additional documentation, ephemera, written testimonials and the like
- Conducting “Listening Sessions”
- Facilitating the recording of oral histories

Partnerships and Buy-In

The Commission’s work offers a variety of ways in which different communities can contribute:

- Local churches can provide vans for transporting people to the events
- Businesses can be solicited to provide refreshments
- Historically Black Colleges and Universities can provide support for meeting space, refreshment donations, research assistance, etc.
- Local talent such as a choral groups can be tapped to provide an “opening act” as the hearing gets under way

Communications Plan

- An outreach and media plan should be developed
- A downloadable PowerPoint presentation should be developed to lay out the goals and format of the hearings.

Develop a timeline for the hearings based on a start time of either 10:00 a.m. or 1:00 p.m.

1. Opening
2. History Overview
3. Testimony
4. Next Steps / Recommendations
5. Concluding Remarks

Public Hearing Timeline

Date Complete	Action Item	Responsible Party
YEAR 1		
09/11/2021	Allegany County Public Hearing	All
YEAR 2		
10/02/2021	St. Mary’s County Public Hearing	All
10/23/2021	Anne Arundel County Public Hearing	All
12/18/2021	Carroll/Frederick County Public Hearing	All
01/08/2022	Montgomery/Howard County Public Hearing	All
01/29/2022	Prince George’s County Public Hearing	All
02/19/2022	Upper Eastern Shore Public Hearing	All
03/12/2022	Lower Eastern Shore (Somerset County) Public Hearing	All
03/26/2022	Baltimore/Harford Public Hearing	All
04/10/2022	Wicomico/Worcester Public Hearing	All
04/30/2022	Institutional Hearing - Judicial/Legal/Law Enforcement/Media	All

05/28/2022 ¹⁰	Baltimore City Hearing w/expert testimony	
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The hearings will allow the opportunity for everyone’s voices to be heard. The open Commission business meetings must also allow an opportunity for public comment. Thus, the Commission adopted the following guidelines and procedures statement.

Maryland Lynching Truth and Reconciliation Commission
GUIDELINES AND PROCEDURES FOR PUBLIC COMMENT

Meetings of the Maryland Lynching Truth and Reconciliation Commission are open to the public. As part of its general operating procedure, the Commission offers an opportunity for the public to express their views at each meeting as part of a public comment period.

1. Scope of comments

Speakers are permitted to comment on any item relevant to the business of the Maryland Lynching Truth and Reconciliation Commission. Public comment will take place at the beginning of the regular meeting.

Comments are to be directed to the Commission as a whole. The public comment period is intended to provide an opportunity for the Commission to hear from members of the public. Commission Members may refer matters that arise to the Chair for investigation and/or follow-up. However, the Commission will not provide immediate responses to the public comments presented.

2. Time limitation on comments

The maximum speaking time afforded to any individual speaking on any item of business relevant to the Maryland Lynching Truth and Reconciliation Commission will be 3 minutes, unless otherwise indicated by the Chair. The Chair will moderate the comment period.

3. Registration procedures for public comment

¹⁰ Hearing will take place during the week to accommodate members of the Commission and Public who work on Saturdays. All other hearings are scheduled for Saturdays to allow for greater participation from descendants/family and other community members who work Mon-Fri.

Any person wishing to make comments during the public comment period shall sign a speakers list prior to the commencement of the meeting. The speakers list will be available at least 15 minutes before the scheduled start of the meeting, and it will be closed once the meeting begins. Persons who have not signed up prior to the start of the meeting will not be permitted to provide public comment.

Speakers shall identify themselves in writing on the speakers list by providing their name, contact information, organizational affiliation (if any), and the subject matter and/or agenda item to which their comments pertain. Public comments will be made in the order in which individuals signed up.

Appendix B - Research Collection Plan

Research Committee

August 24, 2020

Members of the Research Committee include Dr. Roger Davidson (Bowie State University), Dr. Marshall Stevenson (University of Maryland, Eastern Shore), Dr. Iris Barnes (Director of the Lillie Carroll Jackson Civil Rights Museum), Simone Barrett (Morgan State University), David Armenti (Maryland Historical Society), Charles Chavis (George Mason University), Maya Davis (MD State Archives), and Chris Haley (MD State Archives). The agendas and minutes for each Research Committee meeting are posted on the MDLTRC website:

<https://msa.maryland.gov/lynching-truth-reconciliation/meetings-pubs.html>.

The committee held the following meetings:

Date: January 12, 2020

Location: Lillie Carroll Jackson Civil Rights Museum. Baltimore, MD

Date: February 14, 2020

Location: Maryland State Archives Annapolis, MD

Date: April 3, 2020 Virtual (Webex)

Date: June 26, 2020 Virtual (Webex)

Definition of Lynching

For the sake of clarity in communications, the committee worked with the broader commission to develop a definition for lynching (formed from statutory language):

Racial terror lynching is the unlawful killing of an African American by white mob violence, often with the apparent complicity of state and local officials, intended to incite racial terror and subservience to white supremacy.

Research Plan and Goals

- Review and update information on MD State Archives Judge Lynch's Court website
- Gather basic information available for each lynching victim
- Involve students in research
- Coordinate with County Coalitions and the Maryland Lynching Memorial Project

- Reach out to local historical societies, archives, State’s Attorney’s offices, and other relevant researchers and institutions
- Conduct oral history interviews of individuals with knowledge of lynching cases
- Create a new website for presenting materials and information

Currently, the Maryland State Archives has the Judge Lynch’s Court website that displays information on Maryland Lynching victims. Although comprehensive, the site needs to be reviewed and updated as it is based on research done before 2005. The Research Committee aims to review, update, and add to the information available for each lynching victim. Additionally, the committee will explore new and innovative means of presenting the information on the website.

The committee aims to gather the following the basic information for each case of lynching:

Basic information for each incident:

- Timeline and details of event
- Rationale for the lynching
- Key Individuals involved
- Political implications (within local and state politics)
- Public reaction (black and white communities)
- Newspaper accounts
- Government/Court documents
- Death Certificate
- Coroner’s report
- Photographs and any other ephemera
- Bibliography of writing on the lynching
- Descendants (of victims, perpetrators, witnesses) – any info that they can provide
- Information from Local Historical Societies
- information from Local Coalitions (affiliated with the Maryland Lynching Memorial Project)

To coordinate the gathering of information, Research Committee members have been assigned regions of the state to focus on cases in specific counties:

Central Maryland Region

Iris Barnes

Eastern Shore Region

Charles L. Chavis

Marshall Stevenson

Southern Maryland

Simone Barrett

Roger Davidson

Western Maryland

Elgin Klugh

David Armenti

Involving Students in Research Efforts

As several Research Committee members are educators, one of our goals is to provide students opportunities to participate in the research. This is also helpful in increasing the manpower of the committee. Students are currently participating in the following ways:

- UMBC Masters in Historical Studies program candidate is assisting in research
- Dr. Denise Meringolo, Coordinator of the UMBC program in Public History, will have fall 2020 Public History graduate students contributing to the work of the commission through research on Anne Arundel County cases
- Dr. Charles Chavis, Assistant Professor of Conflict Resolution at George Mason University, has been able to assign undergraduate research assistants to research newspaper articles on Maryland lynching cases.
- Commission members who are professors at Maryland's four HBCUs also plan to provide for student opportunities to participate in research

Communications

Through the Commission, communications have been sent to Historical Societies, the Shriver Center at UMBC, Virginia MLK Commission, the Afro-American Historical and Genealogical Society (AAHGS). Communications are also being prepared, or have been sent, to county State's Attorney's offices. These communications introduce the existence and purpose of the commission, and request assistance in gathering relevant documents and information.

Oral History

We are also planning to conduct oral history interviews with individuals knowledgeable about incidents of lynching and racial violence. (Effort led by Charles Chavis and Maya Davis)

Appendix C - Draft Letter to Local Repositories and Cultural Institutions

To Whom it May Concern,

On behalf of the Maryland on Lynching Truth and Reconciliation Commission, I am reaching out to local repositories and cultural institutions seeking support of our efforts to document and research racial terror lynching cases throughout the state of Maryland. Established by the Maryland General Assembly in 2019, the Commission is charged with: holding public hearings in areas where a lynching of an African American by a white mob has been documented; receiving recommendations from the public, including families and communities affected by lynching, for addressing, engaging, and reconciling affected families and communities; and making recommendations for addressing the legacy of lynching that are rooted in the spirit of restorative justice. In conducting the required hearings, the Commission may also research cases of racially motivated lynchings that are not documented but are brought to the Commission's attention and the involvement of government entities and news media in cases of racially motivated lynching.

Johns Hopkins University has played an important role in documenting the history of Maryland. The Commission is therefore requesting your assistance in identifying records related to racial terror lynchings that occurred in Maryland. We are particularly interested in:

1. oral histories;
2. court documents;
3. government records including but not limited to death certificates and coroner's reports;
4. witness statements;
5. local newspapers;
6. photographs; and
7. any other related primary and secondary resources, pertaining to "racial terror" lynching in the State.

The Commission is prepared to pay fees associated with the reproduction of any materials that you provide to the Commission. A regional commissioner will be reaching out to you via phone to discuss scheduling a visit to your institution. Thank you in advance for your support and cooperation.

We look forward to working with you.

Sincerely,
David Fakunle, Chair