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CEMETERY OVERSIGHT TASK FORCE MEETING

July 22, 2009

2:00 P.M.

Held at: Thompson Center,
Chicago, Illinois

1 CEMETERY TASK FORCE COMMITTEE:
2 Honorable Patricia Brown Holmes,
3 Chairperson
4 MR. LESTER CONEY,
5 Mesirow Financial
6 MR. MICHAEL KOTZIN,
7 Jewish United Fund/Jewish Federation
8 of Metropolitan Chicago
9 DR. BYRON BRAZIER,
10 Apostolic Church of God
11 DR. DAMON ARNOLD,
12 Director of Department of Health
13 SECRETARY BRENT E. ADAMS,
14 Department of Financial and Professional
15 Regulation
16 MR. WILLIAM MCNARY,
17 Citizen Action/Illinois
18 MS. ANDREA ZOPP,
19 Exelon Corporation
20 MR. DALITSO SULAMOYO,
21 Illinois Association of Community
22 Action Agencies
23 REPRESENTATIVE MONIQUE D. DAVIS,
24 27th House District
REPRESENTATIVE DAN BRADY,
88th House District

1 SPEAKERS: MR. HOWARD LAPIN,
 Illinois Cemetery & Funeral Home Assoc.
2
3 REVEREND JESSE JACKSON,
 Operation Push
4 MR. CHARLES CHILDS,
 A.A. Rayner & Sons Modern Funeral Service
5
6 MR. SPENCER LEAK, JR.,
 Leak and Sons Funeral Home
7 SENATOR HOWARD BROOKINS, SR.
 Brookins Funeral Home
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9 MR. RAYFEL HARRISON
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1 HONORABLE HOLMES: Good afternoon, welcome to the
2 first meeting of the Cemetery Oversight Task Force. My
3 name is Patricia Brown Holmes. I'm very honored to have
4 been appointed by the Governor to chair this task force.
5 It's a very important initiative, it's one we take very
6 seriously, it's one that we hope to do the best job we
7 can by the directive end date of September 15th of this
8 year.

9 I'm a partner in the law firm of Schiff Hardin.
10 I was previously a judge on the Circuit Court of Cook
11 County, as well as a federal, state and local prosecutor.

12 I'd like to introduce you to the other members
13 of the task force, who are some present, some not, but I
14 will introduce them whether they are present in the room
15 or not so that you have an idea of the highly esteemed
16 nature of the task force members.

17 To my immediate right, Lester Coney. I'm sorry
18 -- Lester Coney, who could not be here today, but who may
19 come in late. Since 2006 Mr. Coney has been the
20 executive vice president of Mesirow Financial.

21 Next to Mr. Coney would be -- is task force
22 member Michael Kotzin. Michael Kotzin is the executive
23 vice president of the Jewish United Fund and the Jewish
24 Federation of Metropolitan Chicago.

1 Next to him, task force member Dr. Byron
2 Brazier. Since 2008 Dr. Brazier has been the Pastor of
3 the Apostolic Church of God on the south side of Chicago.

4 Next to him, task force member Dr. Damon
5 Arnold. Dr. Arnold is the director of the state's
6 Department of Public Health.

7 To my immediate left, task force member,
8 Secretary Brent Adams. Secretary Adams leads the state's
9 Department of Financial and Professional Regulation.

10 Next to him on his left, task force member
11 William McNary. Mr. McNary has been the co-director of
12 Citizen Action, Illinois since 2000 and president of U.S.
13 Action since 1999.

14 To his left, task force member Andrea Zopp.
15 Since 2008 Ms. Zopp has been vice president -- executive
16 vice president of the human resource department and
17 recently has been named general counsel of Exelon
18 Corporation. She is also a former state and federal
19 prosecutor.

20 Next to her on her, left task force member
21 Dalitso Sulamoyo. Mr. Sulamoyo has been the president
22 and the CEO of Illinois Community Action Association
23 since 2001.

24 We welcome you all here to our first meeting.

1 We would like to set a few ground rules. The task force
2 will ask questions of individuals who will be testifying
3 today. I will ask that the task members raise their
4 hands so that we can recognize for the record who the
5 individual is and state your name so the record is clear
6 who is speaking.

7 We would like to recognize several individuals
8 in the room. Minority Leader Radogno has designated
9 Senator Randy Hultgren who represents Illinois's 48th
10 Senate District to serve as a legislative ombudsperson to
11 the task force. Unfortunately, he will not be able to
12 join us today, so he will be represented on the phone by
13 Ron Wilson who will serve on the Senate Republican staff.

14 Minority Leader Cross has designated
15 Representative Dan Brady, who sits immediately behind me,
16 who represents the 88th House District to serve as a
17 legislative ombudsperson to the task force.

18 Good afternoon. We also look forward to
19 hearing your testimony.

20 I would also like to acknowledge Representative
21 Monique Davis who also sits behind us from the 27th
22 District.

23 Last Tuesday -- I'm sorry -- last Thursday,
24 July 16th, Governor Quinn signed Executive Order 16 which

1 formed this task force. This task force was formed in
2 the wake of the recent tragic events at Burr Oak
3 Cemetery. These events have highlighted a deficiency in
4 our current mechanisms for regulating and overseeing the
5 operation and management of cemeteries. The people of
6 our state demand proper care and handling for the
7 disposition of human remains.

8 The goal of this task force is to contribute
9 towards establishing an effective system to protect the
10 people of our state. The task force's missions will be
11 as follows: By September 15th, 2009 we anticipate
12 conducting a comprehensive review of the following: One,
13 Illinois's present structural arrangement for regulating
14 cemeteries, funeral directors and embalmers compared to
15 the manner in which other states arrange their regulatory
16 framework; two, the substance of Illinois laws and
17 regulations governing cemeteries, funeral directors and
18 embalmers compared to other states with a view to
19 recommending for implementation in Illinois several best
20 practices; three, the circumstances surrounding the
21 recent tragic events at Burr Oak Cemetery; and, four, the
22 extent to which similar tragedies have occurred or could
23 occur elsewhere.

24 The task force's second responsibility is by

1 September 15th to submit a report of findings to the
2 Governor and to the Secretary of the Department of
3 Financial and Professional Regulation. The report will
4 provide detailed recommendations on what policies, laws,
5 rules and regulations should be implemented to ensure
6 that the manner in which care for the deceased is humane
7 and respectful, including, first, how and by what
8 government entity the finances of cemeteries and the
9 conduct of cemetery personnel should be regulated; two,
10 whether regulations governing funeral directors,
11 embalmers and crematoria can or should be strengthened.

12 That's our task.

13 We will now begin calling witnesses to testify.
14 Witnesses who were invited to testify today, and those
15 who provided us with advanced notice of their intention
16 to testify, will be called first. If there is time
17 remaining at the end of those witnesses' testimony, we
18 will receive the testimony of other witnesses who are
19 here today.

20 If you are here, and you have not let your
21 intent to testify be known previously, please see Sue
22 Hofer who will attempt to accommodate you, if we have
23 time at the end of our schedule.

24 (Mr. Lester Coney arrives)

1 HONORABLE HOLMES: Witnesses will be limited to ten
2 minutes. We will then allow time for the task force to
3 answer questions, and then we will ask to hear from the
4 next witness.

5 The first person I'd like to call today is
6 Representative Dan Brady who is serving as our
7 legislative ombudsperson to the task force and who also
8 serves on the Funeral and Burial Prearrangement
9 Investigative Task Force.

10 REPRESENTATIVE BRADY: Thank you very much. Good
11 afternoon.

12 Can everybody hear me okay?

13 Thank you, Ma'am Chair. It's indeed my
14 pleasure to be here today with my colleague in the House
15 Representative Monique Davis.

16 Just, for the record, I think it's important
17 that I establish my background a little bit. I'm a
18 licensed funeral director and embalmer. I'm the former
19 McLean County Coroner, and for some time I have been very
20 concerned and aware of problems that are in the industry
21 of funeral and burial within the State of Illinois.

22 In fact, looking at those areas in the funeral
23 side and burial side, I have moved forward and had
24 legislation which I brought forth for ideas for change

1 and reform within the State of Illinois. In particular,
2 in the cemetery side of the industry, I noted that we
3 needed a change in the licensure in which the State of
4 Illinois, primarily through the Comptroller's office,
5 licensed cemeteries, does not license individual sellers,
6 whether that be preneed or at-need, preneed of course
7 prior to death, at-need of course at the time of death;
8 that in my legislation, House Bill 815, I also touched
9 upon the need for changing in our trusting laws within
10 the State of Illinois as far as money deposited in trust
11 for preneed funeral and/or burial; that 100 percent of
12 that money stay in trust and not be allowed for other
13 uses throughout the funeral or cemetery industry.

14 I also think it's important to note that some
15 of those very ideas that were in my legislation, which
16 was opposed by the Illinois Cemetery Association, as well
17 as some others, then moved forward with working with the
18 Comptroller's office of the State of Illinois. After
19 months of working there, the ideas were not adopted, and
20 I moved forward with House Resolution 177 creating the
21 Funeral Preneed and Burial Task Force.

22 I'm very frustrated, I'm very disappointed that
23 throughout the halls of the Illinois General Assembly it
24 has to take a horrific situation that has occurred in

1 funeral preneed as well as the cemetery industry for
2 regulators, elected officials and others throughout the
3 state to look at this situation and begin to make
4 comprehensive reform, change in the State of Illinois
5 like many of the other states have.

6 I brought today, for instance, just California
7 alone and the requirements that are made through testing,
8 continuing education, licensure in the cemetery industry
9 especially, and I would ask that my colleagues on this
10 committee as their backgrounds lend to their professions,
11 maybe not directly to the funeral or burial industry,
12 would heed my calling for comprehensive reform and change
13 in this industry in the State of Illinois for the
14 protection of the consumer and families across the state.

15 I look forward to working with you, and I thank
16 you for the opportunity to serve.

17 HONORABLE HOLMES: Thank you very much.

18 Are there any questions?

19 DR. BRAZIER: Just one. If you could make available
20 -- This is Dr. Brazier. If the Representative can make
21 available the resolution -- the resolutions he mentioned
22 so that we can review them, it would be appreciated.

23 REPRESENTATIVE BRADY: Absolutely. I have them here
24 with me today.

1 SECRETARY ADAMS: This is Secretary Adams.

2 Representative, is H.B. 815 mirrored in any
3 other states?

4 REPRESENTATIVE BRADY: It is mirrored in other
5 states. It is mirrored from the State of Ohio which made
6 changes this year in the funeral and cemetery licensure
7 areas.

8 And for the committee's knowledge, this state
9 has a problem within the funeral industry preneed in
10 trusting funeral preneed industry, in insurance, and in
11 my opinion in the cemetery preneed and at-need industry
12 in which there is a lack of individual licensure and the
13 trusting laws as I indicated.

14 Formerly owning my own funeral home and still
15 licensed, and formerly as county coroner, I would say
16 that I've devoted my entire adult life to this profession
17 in serving people in their greatest time of need. The
18 State of Illinois is doing a disservice to people in
19 their greatest time of need in the way in which this
20 industry is lacking in the way of regulation.

21 MR. KOTZIN: Michael Kotzin.

22 Could we have a copy of the California
23 regulations as well?

24 REPRESENTATIVE BRADY: Yes, sir.

1 MS. ZOPP: This is Andrea Zopp.

2 Representative Brady, just -- do you have some
3 thoughts on where the regulation -- who ought to be the
4 primary regulator? Now, as you know, the dollar pieces
5 with the Comptroller. Is it your view it ought to sit in
6 a number of places, one agency, what that agency ought to
7 be? If you could give us your thoughts on the scheme
8 from your perspective.

9 REPRESENTATIVE BRADY: Sure. Thank you very much.
10 My initial idea, and I still lean very heavily towards
11 this, is that the agency that licenses individuals in my
12 profession and any other profession in State of Illinois,
13 for the most part, is the Department of Professional
14 Regulation. I believe the Department of Professional
15 Regulation not only has the knowledge through means of
16 licensure, testing, continuing education, but also
17 enforcement, and penalties which can be assessed.

18 I believe that a natural fit would be for
19 taking out of the hands of the Comptroller's office this
20 division and moving it into the Department of
21 Professional Regulation.

22 Where I also see we're very lacking is the fact
23 that the way a cemetery primarily operates today is that
24 there is an umbrella license to the Comptroller's office

1 to operate. There's not individual licensure of the
2 individuals who are sitting at grandma and grandpa's
3 kitchen table and telling them whatever it takes to get
4 them to sign on the dotted line. Those are the
5 individuals, in my opinion, if we had a better structure,
6 or had a structure in the way of licensure goes, that if
7 an individual knows they're going to be tested, have
8 continuing education, track, could face severe penalties,
9 the chances are we might weed out the individuals from
10 the very beginning we don't want in the industry.

11 I'm not pretending that that idea in concept
12 would have prevented the tragedy at Burr Oak, but it may
13 have certainly helped from the standpoint there would
14 have been a better way to track individuals and what was
15 going on.

16 The enforcement side in my opinion from the
17 Comptroller's office in individual cemeteries is in
18 question as well.

19 MS. ZOPP: Thank you.

20 HONORABLE HOLMES: Any other questions from the task
21 force?

22 SECRETARY ADAMS: Secretary Adams again.

23 Representative, what from your vantage point
24 was the basis of the association's opposition to

1 H.B. 815?

2 REPRESENTATIVE BRADY: One, I don't think they
3 understood it; two, their limited understanding was that
4 they felt it was going to be something of a funeral
5 director monopoly of trying to only have funeral
6 directors being involved in the cemetery side of things
7 when it comes to preneed or at-need selling of burial
8 goods, markers, vaults, burial spaces. And there's quite
9 a little history there, but they simply not only did not
10 understand, they were not willing to listen any further.

11 HONORABLE HOLMES: Additional questions?

12 Thank you so much.

13 REPRESENTATIVE BRADY: Thank you, Ma'am Chair.

14 HONORABLE HOLMES: I appreciate it very much. I'd
15 next like to call on today Harvey Lapin. Mr. Lapin is
16 general counsel for the Illinois Cemetery and Funeral
17 Home Association.

18 MR. LAPIN: Good afternoon. My name is Harvey
19 Lapin. I'm the general counsel to the Illinois Cemetery
20 and Funeral Home Association.

21 I want to say, first, that the Association is
22 absolutely appalled at what happened at Burr Oak and feel
23 that all the laws that we presently have should be used
24 against the people that were accused of this crime. And

1 I wanted to discuss with you a little bit about our
2 Association and about the laws presently on the books.

3 First of all, the Association is made up of
4 approximately 300 members all over the State of Illinois
5 which consist of small family-operated businesses and
6 also consist of municipal cemeteries, religious
7 cemeteries, regional cemetery operations and some
8 subsidiaries and large national corporations.

9 The Association is a nonprofit trade
10 association. We've been -- we were established in 1928.
11 We've been in existence since that time with the idea to
12 promote good ethics, good conduct for our members. We
13 have been a resource over the years to the Illinois
14 Legislature, the General Assembly. We have proposed laws
15 from time to time when they were needed.

16 The first Cemetery Care Act was enacted in
17 Illinois in 1948 at the suggestion of the Illinois
18 Cemetery Association. It was one of the first laws in
19 the country covering care funds, and it became the model
20 for most other states. So we were at the forefront.
21 Illinois has been at the forefront of the legislation for
22 many years as a result of the Association's activities.

23 We also were involved in passing the Illinois
24 Cemetery Preneed Sales Act which covers preneed sales and

1 the trusting of funds, and I drafted that act, as a
2 matter of fact, and worked with Comptroller's office and
3 the General Assembly. And it also is considered model
4 legislation for other states.

5 I also drafted the Cremetoria Regulatory Act
6 which covers the operations of crematories in the state
7 and also the authorization requirements.

8 The officers and directors of the Association,
9 as I indicated, are just appalled at what has occurred,
10 and we want to act as a resource to this task force and
11 also the General Assembly.

12 We have provided to you a informational booklet
13 which has many things that are also on our website which
14 is ICF -- ICFA.org, for those that don't have a copy,
15 though we do have some extra copies if anybody wants it.

16 At this point --

17 HONORABLE HOLMES: Is that this?

18 MR. LAPIN: Yes, that's it. At this point I want to
19 mention to the committee that we were sort of stunned
20 when we heard that there were no laws covering this
21 situation because we were involved in passing a law and
22 putting the penalties in that specifically applied to
23 this situation.

24 This is a booklet by the Comptroller's office

1 that contains copies of all the laws that are under his
2 jurisdiction that apply to cemeteries. This booklet was
3 printed in 2003. It's a little bit out of date, but I
4 guess the state doesn't have money to reprint the current
5 one at the present time.

6 The first law that I would reference in here is
7 the Cemetery Protection Act, and Section 1 of that Act
8 specifically applies to this situation. And what it
9 states is that, any person who willfully destroys or
10 damages the remains of a deceased human being by
11 desecration of human remains is guilty of a Class 3
12 felony.

13 Second thing, any person that willfully removes
14 any portion of the remains of a deceased human being from
15 the cemetery is guilty of a Class 4 felony. I don't
16 think you have any question that that applies to this
17 situation.

18 The third is, any person who defaces or
19 vandalizes or removes a grave marker or memorial is
20 guilty of a Class 4 up to Class 2 felony depending on the
21 number of memorials defaced or removed.

22 This could go up for each situation where these
23 people, if they are convicted, could be put away for an
24 awful long time. This Act specifically applies.

1 In addition to that, based on the information
2 that we have seen in the media, and all of us are
3 suffering from not knowing specifically what has
4 occurred, we believe that other laws in Illinois were
5 also violated.

6 The Cemetery Care Act, which is under the
7 Comptroller's jurisdiction, provides that anybody who is
8 under the -- is licensed as a care cemetery must deposit
9 a certain percentage of any lots sold into the care fund.
10 It is our understanding that these resold graves -- that
11 no deposits were put into the care fund. We also
12 understand that the cemetery in question did not put any
13 deposits in their care fund in the year 1907 -- excuse
14 me -- 2007.

15 In addition, there's a Preneed Cemetery Sales
16 Act, and that Act requires that a certain amount be
17 deposited into a trust fund. And we believe based on
18 what we've heard that they made sales in which they did
19 not comply with the requirements of that law. Burr Oak
20 is licensed under both laws with the Comptroller's
21 office.

22 In addition to that, just under the general
23 criminal laws of the State of Illinois, there is theft of
24 property in which somebody steals somebody else's

1 property. They stole the cemetery spaces and the
2 memorials allegedly from these people. There's theft by
3 deception. They did not tell people who bought spaces in
4 these cemeteries that these graves had been previously
5 used. And, in addition to that, there's the Consumer
6 Protection Act, Consumer Fraud and Deceptive Practices
7 Act, which not only covers the deception of not
8 disclosing to consumers who purchased these graves that
9 these were resold -- reused before, but, in addition,
10 that law specifically incorporates by reference
11 violations of the Cemetery Care Act, the Preneed Cemetery
12 Sales Act, so it's a double guard. There are probably
13 other laws in Illinois that were violated.

14 We feel that -- we hope that these people, if
15 they did in fact do this, will be convicted under these
16 laws and properly punished. The association is -- wants
17 to be a resource in this matter. We have given you
18 information and we will provide information, and we are
19 ready to provide whatever you request, and, in addition,
20 I'd be happy to answer any questions that you might have.

21 HONORABLE HOLMES: Thank you.

22 Are there any questions?

23 MS. ZOPP: Mr. Lapin, Andrea Zopp. I have a couple
24 questions. The first is, can you -- I'm looking at some

1 numbers on page 8 of the book you gave us, and I'm just
2 trying to understand what percentage of your membership
3 would you say sort of covers -- in other words, how many
4 people were doing funeral services and running cemeteries
5 in Illinois are not part of your association?

6 If I look at these numbers, you say you have
7 300 members, but there's over 6,000 operating cemeteries.
8 So it seems to me that there's only a small percentage of
9 people who are doing this work who are involved in your
10 association. I just want to try to understand --

11 MR. LAPIN: Well, the figures can be quite
12 misleading because there's 14,000 cemeteries in Illinois,
13 but most of them consist of small family burial grounds
14 on farms, for example, small rural cemeteries that have
15 no active management.

16 MS. ZOPP: Right. I'm talking about the 6,000
17 active ones.

18 MR. LAPIN: When we say active, that can be a
19 volunteer that's operating the cemetery, it could be no
20 one particularly actively managing on a day-by-day basis.

21 Really of the active cemeteries where you have
22 an active management, we think there's about 700 or 800
23 in the state of which our membership is approximately
24 300. Most of the rest of them are very small, and they

1 don't have the economic ability to be a member of an
2 association or to participate.

3 MS. ZOPP: My other question is -- relates -- you
4 pointed out there's a number of laws that govern what the
5 behavior that happened that will penalize it. The
6 problem is that despite those laws being on the books and
7 those rules, it still happened. And so the concern that
8 -- one of the things we're looking at, what's missing,
9 what's the regulatory, what's the enforcement, the
10 oversight? Is there additional oversight that your
11 Association thinks ought to be there so that it doesn't
12 happen because penalizing -- punishing it afterwards
13 obviously needs to happen, but we're looking at creating
14 a regulatory scheme where it won't happen so that -- Do
15 you have any thoughts on that? Is there a gap there that
16 we're missing?

17 MR. LAPIN: Well, I don't know if I can really
18 answer that question because I think it's really up to
19 the General Assembly to decide what they want to do.

20 I can tell you what is presently in the Care
21 Act. The Care Act presently requires that the licensee
22 file an annual report with the Comptroller's office. The
23 annual report indicates the amount that they have
24 deposited into their funds and the amount of money that

1 they have expended at the cemetery. In addition to that,
2 the Comptroller's office is required under the law to go
3 out and audit these cemeteries except for small funds
4 under \$250,000. That audit is at the cemetery. It's not
5 an office audit. It's at the cemetery. They go out to
6 the cemetery, they in the process of doing that would be
7 going through the grounds of the cemetery because the
8 offices are in the cemeteries.

9 If they find that there is a problem, they have
10 the authority under the law to order a second tier audit,
11 which is done by an outside accountant at the expense of
12 the licensee. They look at the expenditures for
13 maintenance, and when they look at it, if there is an
14 improper expenditure, they can require the cemetery to
15 pay it back to the fund.

16 I am aware of a cemetery in Illinois that used
17 some of the funds for paying lawyers like me and
18 accountants, and the Comptroller made them pay it back to
19 the fund.

20 So there is an authority -- there is -- I'm
21 aware of other cemeteries where the Comptroller has gone
22 in and taken over the cemetery, had a receiver appointed.
23 In fact, they did that with Burr Oak recently. So there
24 is a lot of authority --

1 MS. ZOPP: For the auditing of funds though, right,
2 which is one small part of what the issue is. Would you
3 agree with me that that's only one piece of what happened
4 at Burr Oak?

5 MR. LAPIN: I think there were -- my understanding
6 there were a lot of complaints about this cemetery so
7 there were some indications.

8 MS. ZOPP: I just want to go back to what you said
9 because I want to make sure that we understand sort of
10 the Association's -- at least your position on behalf of
11 the Association.

12 You said you don't -- you think you would leave
13 it up to the Legislature in terms of what other
14 regulatory screening. So you don't have -- the
15 Association doesn't have any views about gaps that we
16 ought to be looking at in the regulatory scheme that
17 would deal with operations, for example, in other words,
18 that would give some oversight, licensing.
19 Representative Brady mentioned more individual licensing.

20 Do you have views on that? Does the
21 Association have a position on any of those?

22 MR. LAPIN: Well, the Association feels on
23 Representative Brady's position that the licensing right
24 now is the licensing of the entity, and, under the law,

1 the entity is fully responsible for their people. So if
2 their people do anything, it's the entity that will pay a
3 penalty. And I can tell you that if salespeople working
4 for cemeteries do something to violate the laws, and
5 there's a lot of laws that apply to them, they will not
6 be working very long for a cemetery operation.

7 The problem that we had with
8 Representative Brady's proposals as they originally were
9 proposed in what he referred to as House Bill 815 was
10 that he wanted to make everybody a licensed funeral
11 director originally. He did change his position from
12 that, but we didn't feel that cemetery personnel should
13 be required to go to mortuary school for 2 years and get
14 a license in order to sell cemetery property. So that
15 was what our opposition is. We still are waiting to find
16 out exactly what he had in mind, and there was some
17 dispute about that.

18 MS. ZOPP: Do you object generally so the principal
19 of cemetery workers or people being engaged in dealing
20 with consumers on these issues being licensed and giving
21 oversight to the Illinois Department of Professional
22 Regulation?

23 MR. LAPIN: The Association is not opposed to that.
24 We just don't feel it's necessary if the entity is

1 covered, but we're not opposed to it.

2 MS. ZOPP: Thank you.

3 MR. SULAMOYO: This is Dalitso Sulamoyo. The
4 question was already asked. I wanted to find out what
5 the Association's recommendation was to the task force
6 because you did present to us the different statutes that
7 are in place, but I wasn't quite getting what your
8 recommendation was to the task force in relation to what
9 we were discussing today.

10 MR. LAPIN: Well, the Association feels that there
11 is a -- that the provision that I cited in the Cemetery
12 Protection Act is basically a criminal act. It requires
13 the enforcement of the State's Attorney to do that, but
14 it's already on the books.

15 I don't know what else you could have had to
16 find out what these people were doing. I don't know what
17 law you could have. It's an act that is so terrible and
18 they did it -- I have to say alleged at this point
19 because they are being -- they are being tried as
20 criminals so I don't want to interfere with the criminal
21 act. But this act was done in such a fashion that I
22 don't know how you could have discovered it unless you
23 actually went out there. And basically, from what I
24 understand, their employer, the company, didn't even know

1 it was going on for a long time.

2 DR. ARNOLD: Dr. Arnold from the Illinois Department
3 of Public Health.

4 The question I have is, you know, we've gone
5 over a lot of the regulatory language that you had and
6 consumer protections was part of that, and the question I
7 have is that, within this scenario there is the
8 possibility similar to the housing scandals that we've
9 had in the past where people were signing documents and
10 these documents were with very fine print. Is this one
11 of the things that you're concerned about as well? Is
12 there a consumer piece of this where people need to be
13 educated upon what actually happens with stacking, with,
14 you know -- with doing things with moving and time limits
15 on what the grave site will be allowed for?

16 I'm trying to get more of what do you do to
17 inform consumers when people actually buy these plots for
18 the future, or they're actually elderly and are reading
19 documents that they may not even totally understand.

20 So what kind of thing -- what would you
21 recommend for the resolution of that problem?

22 MR. LAPIN: Well, our association has a recommended
23 forms for our members. And let me say that most
24 cemeteries do not sell in this fashion. It's not the

1 normal cemetery way of selling. There are a lot of
2 cemeteries sell what they call double depth lawn crypts
3 which are like underground mausoleum spaces, and they're
4 two units in one interment space, but we have recommended
5 to our members that do market what you're discussing that
6 they have a form, a consent form which discloses to the
7 consumer exactly what they are purchasing and ask them to
8 sign and confirm what it is, and the form -- we had a
9 problem -- not a problem -- we had a suggestion from AARP
10 a few years ago that we recommend big type. So the form
11 is bigger type than the normal small type that we all
12 can't read when we see it on a contract sometimes. So
13 that is --

14 DR. ARNOLD: Is there a need for that to be
15 standardized?

16 MR. LAPIN: We would have no objection to that. I
17 think the other thing is, you mentioned moving, and I'm
18 not sure that these -- what is being marketed is
19 necessarily any movement. It's burial over. In other
20 words, it's a space where somebody agrees that they don't
21 mind that somebody else will be buried at another level
22 above them. They don't physically move them into any
23 other area.

24 DR. ARNOLD: Is there a need for -- also for

1 recordkeeping be in a more user-friendly format. It
2 seems that records were difficult to locate. Many of
3 them go back many years. Of course, you have that
4 problem, you know, with bringing things up to date, but
5 do you see a need for putting this into a different
6 recordkeeping format?

7 MR. LAPIN: Well, we were somewhat shocked at that
8 also because most of our members are computerized, and we
9 have computer records and, you know, in fact, we have a
10 marketing company that comes to our meetings with
11 computer programs and that. So we were kind of surprised
12 they were still doing things apparently by hand. There
13 probably are some people that are still doing it by hand,
14 but it seems kind of ridiculous at this time to do that.

15 Also, most of our members have backup records
16 that are backed up on a daily basis at another location
17 in a fireproof facility because if anything were to
18 happen with the records at the cemetery it would be a big
19 problem.

20 So I can't tell you about Burr Oak and what
21 they were doing. It sounded a little bit outdated to me.

22 HONORABLE HOLMES: Our next question will be from
23 Representative Davis?

24 REPRESENTATIVE DAVIS: Thank you, Ma'am Chairman.

1 Thank you so much.

2 Your testimony is really interesting because do
3 you think that a Class 3 felony is punishment enough for
4 what those people did?

5 MR. LAPIN: No.

6 REPRESENTATIVE DAVIS: So some legislation that we
7 had proposed in Springfield was going to require a
8 Class X felony.

9 MR. LAPIN: We -- Actually it was less of a penalty
10 until we asked the legislature to increase it, and at
11 that time the only penalty that they agreed to increase
12 it to was Class 3. I agree 100 percent with you.

13 REPRESENTATIVE DAVIS: The other question I have is,
14 you say that people place more than one body in one
15 grave.

16 MR. LAPIN: There are in some cemeteries in the
17 country what they call -- it's a double depth lawn crypt.
18 It is an underground mausoleum crypt in effect, and it's
19 double level, and it's commonly sold in many cemeteries
20 in the country, and it's used where they only use one
21 interment space, but it's a separate place for each
22 person, and it's sold around the country, and it's not an
23 inexpensive form. It's for people that want that type of
24 arrangement. Some people want above ground mausoleum

1 crypts, some people below ground. There's all types of
2 different arrangements, and the cemeteries try to provide
3 whatever selections people want.

4 REPRESENTATIVE DAVIS: I think one of the problems
5 that happened at Burr Oak was that there were bodies and
6 bones strewn about somewhere in the back of this
7 location. So it means obviously they were taking bodies
8 up for whatever reason and placing them someplace else.
9 That's why we had thought a Class X felony would perhaps
10 fit that crime.

11 MR. LAPIN: I think the Association agrees with you
12 100 percent. It should be illegal. It's not something
13 that most people would ever do, and it should be a
14 fitting penalty for such a crime as was committed out
15 there.

16 REPRESENTATIVE DAVIS: So I as a consumer would make
17 contract with the cemetery, and I would decide with them
18 if I will permit or if I agree that more than one body
19 would go into this grave? Is that how that works?

20 MR. LAPIN: Yes.

21 REPRESENTATIVE DAVIS: They would say to me, do you
22 want a grave where two people are or three people are?
23 Would you explain that to us?

24 MR. LAPIN: Well, what happens traditionally -- you

1 have to remember that most people, unfortunately, don't
2 own grave spaces presently. The industry would like if
3 everybody would buy it in advance, but it doesn't work
4 that way. So most people do not own cemetery spaces. So
5 when a death occurs, they go to the funeral directors,
6 and the funeral directors at that point when they find
7 out they don't own cemetery spaces will usually advise
8 them about what's available.

9 Now, the cemeteries that provide this type of
10 arrangement, they differ in their practices. Some of
11 them insist that the family come out to the cemetery and
12 see exactly what they're buying and get them to
13 acknowledge what they're buying. Some of them will let
14 the funeral director handle it. So we really don't know
15 what exactly is said to them, but most of them require
16 this form to be signed.

17 REPRESENTATIVE DAVIS: But in some states they don't
18 permit double or multiple burials in one site. Some
19 states only allow one body to one grave.

20 MR. LAPIN: That's true, but that is the minority,
21 not the majority. There are just a few states that do
22 that.

23 REPRESENTATIVE DAVIS: Here's my final question,
24 Ma'am Chairman.

1 The legislation that I was helping to propose
2 not only asked for the Class X felony, but we also
3 thought that the location of the buried person should be
4 recorded with the Recorder of Deeds, the exact, you know,
5 location of the cemetery, the exact plat -- in other
6 words, someone could scroll down and find a person's
7 name, know exactly where they're buried and where that
8 plot is and also require the cemetery to have on display
9 a permanent display of the plat locations in that
10 cemetery.

11 MR. LAPIN: The Care Act already requires cemeteries
12 to have a -- such a plat. The problem we had with what
13 was proposed is the way it was worded it would have
14 required a cemetery to file with the Recorder's office
15 every time they sold a space or they buried somebody.
16 Some of the cemeteries in Chicago have six or seven
17 burials a day, and the problem we had is the fees for
18 filing with the Recorder's office which requires, you
19 know, \$25 for the first five pages and so much for each
20 additional page would have been exorbitant when you have
21 a cemetery that has 100,000 spaces in it.

22 So we were trying to work out -- we're not
23 against the proposal. We want to work out something that
24 makes more sense and is not going to put everybody out of

1 business.

2 REPRESENTATIVE DAVIS: But wasn't it required in
3 Chicago that burial locations be provided to I think the
4 Department of Health up until 1994, 1995?

5 MR. LAPIN: In '96 -- up to '96 the burial permit
6 had on it the location and space numbers of the graves,
7 and in '96 I think the department sent -- changed their
8 regulations to allow the funeral directors to fill out
9 the permit in advance and that information was dropped
10 off the permit.

11 REPRESENTATIVE DAVIS: Maybe we should bring it
12 back. Thank you very much.

13 HONORABLE HOLMES: Representative Brady?

14 REPRESENTATIVE BRADY: Thank you, Ma'am Chairman.

15 Mr. Lapin, it's nice to see under a little
16 different circumstance. Since the last time we talked in
17 the General Assembly some things have changed. I'm not
18 going to belabor the point of our difference of opinion
19 several months ago, but I think that it should be noted
20 that under the direction of your lobbyist and folks in
21 Springfield you were against the idea of individual
22 licensure, and I went back and met with those individuals
23 and they chose to disseminate false information through
24 the halls of the Illinois General Assembly.

1 MR. LAPIN: Excuse me, Representative. That is not
2 true, and I resent you saying that because it is not
3 true.

4 REPRESENTATIVE BRADY: You can resent all you want,
5 but you weren't there.

6 MR. LAPIN: Well, we didn't get the opportunity in
7 those proceedings to say anything unfortunately, but I
8 have the opportunity now, and I personally resent you
9 attacking my integrity.

10 REPRESENTATIVE BRADY: I didn't attack your
11 integrity. I said you were against my legislation.

12 HONORABLE HOLMES: I would ask just for a question,
13 and we'll discuss those issues later.

14 REPRESENTATIVE BRADY: It's unfortunate we're in the
15 situation we are that we have to revisit some of those
16 things that could have been implemented.

17 You indicated the licensure is for the entity
18 under the Illinois Comptroller's office at the cemeteries
19 right now, correct?

20 MR. LAPIN: Correct.

21 REPRESENTATIVE BRADY: What good is licensure for
22 the entity when the owners live out of state?

23 MR. LAPIN: Well, first of all, the entity that is
24 licensed is the entity in state and the Comptroller's

1 office has the powers under the law to require the out of
2 state corporation to appear and participate. They're not
3 separated. They can't hide behind their out of state
4 activity. They've consented to be under the jurisdiction
5 of the Comptroller's office.

6 REPRESENTATIVE BRADY: If the entity is incorporated
7 in the State of Illinois, that can be one thing, but if
8 the owners actually reside or the companies reside out of
9 the State of Illinois, what good is that licensure for
10 protection of the consumers in the State of Illinois and
11 the individual families that a manager at the cemetery or
12 a preneed counselor at the cemetery or another
13 salesperson from the cemetery comes in contact -- without
14 any type of licensing requirement, comes in contact with
15 the Illinois residents, what good is licensing the
16 entity, corporation or individual owner if they're not in
17 the State of Illinois?

18 MR. LAPIN: Well, first of all, the Comptroller's
19 office has under its jurisdiction a system of fines and
20 penalties that can be imposed on that corporation for
21 infractions of these people who they're responsible for.

22 And, second of all, there's many, many
23 businesses in this country that are owned by out of state
24 corporations that deal with the public on a day-by-day

1 basis that don't have licenses for those particular
2 people.

3 REPRESENTATIVE BRADY: I might suggest very few of
4 them sell cemetery spaces or burial product.

5 MR. LAPIN: Some of them sell products that are even
6 more important to consumers.

7 HONORABLE HOLMES: We'll take two more questions
8 from the task force. This is Dr. Brazier.

9 DR. BRAZIER: This is Dr. Brazier.

10 Following up with what Ms. Zopp and Dr. Arnold
11 had been talking about that dealt with the -- not the
12 criminal laws but the operations of the cemetery. I get
13 the impression because each cemetery is independent that
14 they have their own operational management and there
15 really isn't a standard operational system that guides
16 the running of a cemetery. Is that true or no?

17 MR. LAPIN: Well, it's true in some part. The
18 modern cemeteries do have some consistency in operations,
19 but you've got to remember that there's different kind of
20 cemeteries in every state.

21 We have -- in Illinois we have religious
22 cemeteries, and we have large religious cemeteries, and
23 we have small religious cemeteries. We have municipal
24 cemeteries, and we have the City of Chicago -- the county

1 has I think 8 or 10 cemeteries in its jurisdiction that
2 they operate. That's one thing. And then you go in some
3 of the smaller municipalities and they have a small
4 municipal cemetery, and it's a different type of
5 operation. We have fraternal cemeteries in Illinois, we
6 have the private cemeteries, but they're all in different
7 categories. There are -- there is information available
8 on how to operate a cemetery and what to do.

9 Our association has a 500-page manual that is
10 available to our members, and they can use it in their
11 operations with suggestions on how to operate the
12 cemetery, forms to use and things of that kind. So there
13 is some uniformity.

14 DR. BRAZIER: So given the diversity of cemeteries
15 and their ability to operate as they will, then some form
16 of standard legislation that allows for information
17 systems, that allows for plot management, that allows for
18 forms of meeting the demands of licensing would be
19 appropriate?

20 MR. LAPIN: It would be something that we'd have to
21 study very carefully because we have different economics
22 involved in these cemeteries, and if you impose standards
23 on some of these cemeteries that they cannot economically
24 comply with, you're going to find that they will be

1 abandoned and become either part of the state's problem
2 or the municipality problem, and that has happened
3 already in this state.

4 The Comptroller's office several years ago
5 called up the Association and asked us what we would do
6 because somebody came in and gave them the keys to the
7 cemetery and walked away.

8 DR. BRAZIER: I agree, but when you're faced with
9 citizens who do not know what is going -- what's going to
10 happen to their loved ones without any regulation or even
11 any knowledge as to how this happens, it would just seem
12 prudent as a community -- that community of the State of
13 Illinois to be able to say how does this very important
14 entity operate, and by what guidelines and what rules.

15 Wouldn't you believe that there should be some
16 standard rules by which all of them operate in order to
17 ensure that consumers have equal protection both
18 operationally not just criminal?

19 MR. LAPIN: I think you have to have standard rules
20 for the type of cemetery that you're talking about, and
21 the economic status of the cemetery, if we take and apply
22 a general rule to every cemetery without considering
23 that, we would have a problem, and I think in the states
24 where they have talked about that they have categorized

1 the cemeteries by different styles and types.

2 HONORABLE HOLMES: Would you classify the for-profit
3 cemeteries differently than the nonprofit cemeteries?

4 MR. LAPIN: It depends, because some of the
5 nonprofit cemeteries compete in the same fashion as
6 profit cemeteries. Some of them actively market and sell
7 cemetery spaces and products, and I don't think it would
8 be fair to give them a competitive advantage over the
9 private cemeteries by having a different category. So
10 it's a very complicated issue.

11 You don't want to put the consumer in a
12 position where you're having some people unable to
13 compete and offer to the consumer various products and
14 services because of regulations.

15 DR. BRAZIER: If I can ask one more thing. In the
16 earlier part of your message you asked and you kind of
17 offered your assistance to answering questions. I
18 believe it would be important, and I think it goes back
19 to Ms. Zopp's question of you, that you -- that the
20 cemetery association provide recommendations given what
21 you already know that provide for this task force an
22 ability to understand what you would prefer from a
23 regulatory position, as well as a breakout of the
24 categories that you think would be important that would

1 allow for standardization and consistency as opposed to
2 just here's a recommendation and here's why we may
3 disagree. It would be much better on a positive note the
4 Association provide its recommendations to this task
5 force.

6 MR. LAPIN: I don't disagree with you. I think the
7 Association -- you've got to remember that this incident
8 occurred basically a few days ago. We have not even had
9 a meeting of our Association. Our board had a short
10 telephone meeting. We are not -- I'm not authorized, nor
11 are we in a position to respond to you, but I think there
12 will be some response in the future.

13 HONORABLE HOLMES: Thank you.

14 MR. CONEY: Les Coney. How are you? And thank you
15 for your comments.

16 I just want to understand the Association just
17 a little better, meaning, there's a fee to be a member,
18 I'm assuming, and I couldn't find it in here. Is it
19 based on the size of the cemetery? How does that work?
20 And -- Can anyone join just with a fee or is there
21 another screening process? And then, finally, with this
22 being the Illinois association, is this pretty common in
23 other states? Are you a part of any other national
24 association?

1 MR. LAPIN: First of all, we do have different fees
2 for different categories, and the smaller cemeteries,
3 fees are quite minimal. We try and encourage smaller
4 cemeteries to become members, and the larger cemeteries,
5 and -- I may be wrong about this because I don't pay that
6 much attention to it, but -- the fee is based in some
7 sense on the number of interments that they handle on an
8 annual basis so that the bigger cemeteries pay more to
9 the association than the smaller cemeteries.

10 As far as membership is concerned, we do have,
11 you know, applications and standards, but you've got to
12 remember that federal law says that you cannot deny
13 membership to anybody if it affects competition. So we
14 are restricted by the Federal Antitrust Laws. So if
15 somebody applies for membership, unless they are clearly
16 in an area where we can exclude them from membership, we
17 almost have to allow them to join.

18 MR. CONEY: Then the national --

19 MR. LAPIN: There is a national -- there's several
20 national organizations. There is the International
21 Cemetery Crematory Funeral Association, there is the
22 Crematory Association of North America. There are
23 other --

24 MR. CONEY: But does this fall under any of the

1 national associations is really what I was asking.

2 MR. LAPIN: You mean our association?

3 MR. CONEY: Yes.

4 MR. LAPIN: No, we have a separate group from the
5 national.

6 DR. ARNOLD: One quick question is that when -- any
7 time you write a law in order to remedy an infraction,
8 you know that something is going to happen in the future
9 basically so you're putting these laws in place in case
10 this happens. Is there any kind of emergency response
11 component to when these situations happen, any kind of
12 SOP or any kind of document that guides the cemeteries on
13 what to do if this were to occur and how do you respond?
14 Because you have people who are grieving, you have bodies
15 that are now present. Is there a mechanism on response
16 to the actual incident? It's a criminal element, but I
17 know it's a fine line.

18 MR. LAPIN: This incident was very difficult for
19 anybody to respond to because of the way it occurred.
20 I'm talking for myself now, was very surprised that the
21 owners of this company basically walked away and gave the
22 keys to the sheriff's office.

23 I would have never been in a position not to
24 have somebody on site that would handle the families'

1 concerns, and we would have recommended that be done if
2 we had been asked, but we weren't asked.

3 MR. McNARY: Thank you, Ma'am Chairman.

4 Mr. Lapin, thank you so much for being here.
5 My name is William McNary. I'm with Citizen Action
6 Illinois. Just like you we, believe that every human
7 being has equal worth and every human being is entitled
8 to respect and dignity and the right to live a meaningful
9 and fulfilling life, and, thus, we believe that that
10 respect and dignity and honor should follow them when
11 they are laid to their rest.

12 Now, you say that if we had enforced the law
13 that was already on the books that that would have been
14 enough and this may not have happened. I am leaning, to
15 be honest with you, toward proposing a comprehensive
16 legal and regulatory framework as suggested by
17 Representative Davis and Representative Brady, but to
18 help guide my thinking, would you help me understand how
19 this happened?

20 In other words, it is alleged these bodies were
21 dug up for cash payments. Now when I bury my loved ones,
22 I don't say -- go to a cemetery and say I want that spot
23 and I'll give you cash. So how did the cash exchange
24 hands? Who is giving people the cash, and how did that

1 happen?

2 MR. LAPIN: I don't really know what happened, and I
3 think that's part of the criminal investigation that has
4 not been disclosed. All I've heard is what the media
5 reports have been that these people have apparently
6 requested cash.

7 Now, it is not abnormal for the industry to
8 when they say cash to request payment at the time of
9 services because it is very difficult to collect a bill
10 after funeral services or cemetery services have been
11 provided.

12 MR. McNARY: Follow-up just quickly. How confident
13 are you that this Burr Oak situation is an anomaly? Do
14 you expect as we begin to look at other cemeteries that
15 we will find similar or do you think this is just a
16 one-time --

17 MR. LAPIN: I hope it is a one-time. It is
18 something that has rarely happened in this country, and
19 that's why I think it is just a one-of-a-kind. I can't
20 believe that this could occur again.

21 First of all, you had a group of people, it
22 wasn't just one, and it's beyond my comprehension how
23 this occurred, but obviously somebody wasn't watching the
24 store.

1 MR. McNARY: Lastly, Ma'am Chair, would you indulge.

2 One final point on a different note. What
3 would be your recommendation to how we restore Burr Oak
4 to a place of beauty where people can visit their loved
5 ones and others can view and honor the resting places of
6 people like Emmett Till and Dinah Washington and Ezzard
7 Charles and the Negro Baseball League? How can we --
8 what is your recommendations to restoring Burr Oak as a
9 place of beauty and honor?

10 MR. LAPIN: I think that probably is already in
11 process. You have a very well-respected member of the
12 industry as the receiver who is used to operating a
13 multi-unit cemetery operation under the Archdiocese in
14 Chicago. I think he is -- from what I've seen he's
15 taking some good steps, getting the records organized,
16 and I am sure that he will start getting the maintenance
17 -- This cemetery has funds. It's not out of business,
18 it's not bankrupt. It's a question of devoting the funds
19 to the proper places. And I think that's going to
20 happen. And our Association is more than willing to
21 assist the receiver.

22 And in the past when there have been problems
23 our Associations have sent maintenance people, we've sent
24 equipment to help cemeteries, we've cleaned up

1 cemeteries. So it's not something that I'm saying just
2 off the cuff. If they need some assistance, our
3 Association will be happy to assist.

4 MR. McNARY: Thank you, sir.

5 SECRETARY ADAMS: This is Secretary Adams. It seems
6 as though the popular belief is that the Cemetery Care
7 Act does not govern maintenance of the grounds though it
8 does, is that correct?

9 MR. LAPIN: Well, it governs -- there's a definition
10 in the Care Act of maintenance, and it provides what
11 maintenance should be done by a cemetery. The Care Act
12 is designed that the maintenance will be done to the
13 extent of the income from the care fund. However, most
14 cemeteries supplement the maintenance with income from
15 other sources, sale of graves.

16 The theory of a care fund came from New York I
17 believe, and the concept was that they established a
18 percentage of each space sold to be put in an endowment
19 fund, and they estimated that over the life of a cemetery
20 this endowment fund would eventually get to a size where
21 the income would be sufficient to take care of the
22 cemetery when they had no more spaces to sell. That has
23 occurred in some of the older cemeteries on the east
24 coast, but it's not very common because, you know, the

1 investment standards change too. Right now cemetery care
2 funds like everybody else's funds are down. So the
3 income is less. But to the extent of the income, they
4 have to provide care as designed in the Care Act. And if
5 they don't spend the money as defined in the Care Act,
6 then the Comptroller has the authority to do something
7 about it.

8 SECRETARY ADAMS: And historically has this or prior
9 Comptrollers taken disciplinary action with respect to
10 care of the cemetery grounds?

11 MR. LAPIN: Yes. When they've gotten a lot of
12 complaints, they look at the funds and see how they're
13 spent and its -- prior Comptrollers, and I think even
14 this one, have taken a position.

15 MS. ZOPP: This is Andrea Zopp.

16 Mr. Lapin, I want to follow up on some question
17 that Dr. Brazier was asking you. We were talking about
18 the cost and the potential impacts of a regulatory scheme
19 on some of your members and some of the people who
20 operate cemeteries. We're very sensitive to not layering
21 on a regulatory screen that's going to be overly -- so
22 costly that it can't be effective.

23 Having said that, I don't think we can say,
24 well, the cemeteries and the people who are in this

1 business are so financially incapable that we ought not
2 to have a regulatory scheme. So there's got to be
3 somewhere in between those two extremes.

4 One thing that would be helpful to us is your
5 organization giving us some range whether it's the fees,
6 the way you charge fees to the cemeteries in terms of how
7 you define them, in other words, what ought to be the
8 ones that are, you know -- that are smaller, that are
9 family run, whatever the guidelines that you use when you
10 have your sliding scale of fees, if you could give us
11 some guidance on that as we're pulling together a
12 regulatory scheme as to how we ought to look differently
13 at the larger, whether it's for-profit or not-for-profit,
14 is it size, is it number of -- is it number of burials at
15 any given time, is it state run or religious run,
16 whatever it is that you're using would be helpful to us
17 to have those categories as we're putting together a
18 scheme.

19 MR. SULAMOYO: This is Dalitso Sulamoyo again.

20 You mentioned earlier that your Association has
21 in the past gone into other cemeteries to provide some
22 assistance whether it's with maintenance or what have
23 you. Was this particular cemetery a member of your
24 Association?

1 MR. LAPIN: Yes.

2 MR. SULAMOYO: They were?

3 MR. LAPIN: They still are a member of our
4 Association, though we suspect that that's going to end
5 at the end of the year, and the board is looking into
6 possibility of terminating their membership, but they
7 probably won't pay their dues.

8 DR. BRAZIER: One last question.

9 Earlier in your conversation you mentioned that
10 you would expect that everyone should be prosecuted to
11 the fullest extent of the law. In your rules and
12 regulations that you've quoted, are the cemetery owners
13 only financially obligated or are they criminally
14 obligated? And would you propose -- if they were not,
15 would you propose legislation that would make especially
16 those who are out of state always ready and prepared to
17 turn their keys over to somebody else, that they also be
18 criminally responsible since they are the ones who are
19 licensed?

20 MR. LAPIN: The Care Act and the Preneed Cemetery
21 Sales Act have criminal penalties for intentional
22 violations.

23 DR. BRAZIER: For the owners?

24 MR. LAPIN: For the licensees and the owners or any

1 person that intentionally violates the acts. So it does
2 cover even these individual people.

3 DR. BRAZIER: You say intentionally. So out of
4 state owners can always say, well, you know, we didn't
5 know, it wasn't us.

6 MR. LAPIN: Well, you know, you can always say
7 anything to -- in defense of it, but if they didn't put
8 money in the care fund, and they're required to do so,
9 and they have been filing reports for years with money
10 going in every year and no money was put in at all,
11 there's a problem there. I think that you're talking
12 about willfully and knowingly it says, not just
13 intentionally, but they should have some knowledge of
14 what's going on.

15 HONORABLE HOLMES: Representative Brady?

16 REPRESENTATIVE BRADY: Thank you very much, Ma'am
17 Chair.

18 Mr. Lapin, just a couple quick questions on
19 follow-up.

20 You're very knowledgeable of the Cemetery Care
21 Act?

22 MR. LAPIN: Yes.

23 REPRESENTATIVE BRADY: Explained provisions of that
24 today to us, which we greatly appreciate.

1 I met with Sheriff Dart on a couple of
2 occasions and throughout accounts there seems to have
3 been complaints about Burr Oak Cemetery prior to this
4 incident, years prior in fact. Do you have any knowledge
5 of any of those complaints? Have you read anything that
6 there have been complaints prior to this situation being
7 uncovered?

8 MR. LAPIN: I don't know personally about any
9 complaints. I have heard from other people, which is
10 hearsay, that there have been complaints about the
11 cemetery and that complaints were filed with various
12 authorities.

13 REPRESENTATIVE BRADY: And I don't know if you're
14 aware or not, but under Section 15 of the Cemetery Care
15 Act of the State of Illinois, it allows the Comptroller,
16 with some proper notice, to be able to revoke the
17 licenses of cemeteries.

18 MR. LAPIN: Correct.

19 REPRESENTATIVE BRADY: It specifically states that
20 the licensee has, if they violate any provision of the
21 act or any regulation, direction made by the Comptroller
22 under this Act. So if there have been prior complaints
23 about this cemetery, or any other cemetery in the State
24 of Illinois, and the Comptroller's office chose to

1 personally investigate a cemetery, would it be
2 conceivable, in your opinion, that if they directed that
3 cemetery you've got to clean up this or you have to do
4 that or you have to do this, here's the criteria in which
5 you have to change things, turn things around, if you
6 don't do that, we're going to pull your license? Is that
7 your understanding of what the Act could possibly unfold?

8 MR. LAPIN: Yes.

9 REPRESENTATIVE BRADY: One other question. I
10 appreciate your patience, Ma'am Chair.

11 Religious cemeteries such as the Archdiocese
12 of Chicago, do they fall under the Cemetery Care Act in
13 the State of Illinois?

14 MR. LAPIN: No, they are exempt from the Care Act,
15 which brings up our feeling about regulation that any
16 regulation that would come down -- any changes in the
17 laws has to be applied to everyone.

18 REPRESENTATIVE BRADY: Thank you.

19 HONORABLE HOLMES: I've just got a question. I know
20 you discussed the double depth graves. Are you aware of
21 -- I know I may not use the correct term -- but plots
22 that are sold on a leased term, a limited lease term, 20
23 years, 30 years, et cetera? Is that common in Illinois?

24 MR. LAPIN: No, it's not common in Illinois. It is

1 -- it does occur. It is an option with some of the
2 cemeteries in the Chicago area and some around the state,
3 but it is not common.

4 You remember historically this country is
5 different from most other countries. In most other
6 countries in the world, that is the common, that they
7 actually lease spaces for a period of 20 years with a
8 right of renewal. That's -- all the European countries
9 are that way. Somehow or another when we started this
10 country we switched to a different system, and they kind
11 of think we're off our rockers on that particular issue
12 because I've been over in Europe, and they can't
13 understand why we sell spaces for a perpetual term.

14 So it's the way people are used to, and there
15 are people in this country -- if you go on the Internet
16 you'll find people in this country of all income levels,
17 persuasions or whatever that have no problem with that.

18 HONORABLE HOLMES: For those circumstances are you
19 aware of any forms or consumer protection laws or
20 information packets that are given to the individuals who
21 might purchase those types of burial plots that would
22 explain to them exactly what occurs with their remains at
23 that 20-year timeframe should the cemetery decide to
24 resell that plot?

1 MR. LAPIN: Well, we recommend -- the Association
2 recommends -- we have a form in our packet of forms that
3 we recommend, and we recommend to their members that they
4 disclose the information to the consumers exactly what
5 they're buying and get their consent, and that they
6 understand exactly what they're buying.

7 And where the cemeteries are dealing with the
8 family, I'm familiar with a couple people that definitely
9 make sure that every sale the family acknowledges that
10 that's what they're getting. The problem, as I
11 indicated, is the cemeteries don't always deal directly
12 with the family so we really don't know whether they have
13 signed off.

14 One person I know insists that before they will
15 conduct a burial service that they get a faxed back copy
16 of that consent and the original coming out with the
17 service. So it's up to the cemetery to enforce that, but
18 we definitely recommend it.

19 HONORABLE HOLMES: So would you -- would you think
20 that universal recordkeeping with respect to these types
21 of cemetery plots would be prudent?

22 MR. LAPIN: Uniform disclosure and consent form, I
23 have no problem with that.

24 HONORABLE HOLMES: Thank you very much -- would you

1 like one more question.

2 DR. ARNOLD: As they say be careful what you ask
3 for, but could you supply us with some of those forms and
4 the 500-page manual?

5 MR. LAPIN: We charge our members \$500. I think I
6 think I could arrange for you to get it a little cheaper.

7 DR. BRAZIER: One last question.

8 In the -- Representative Brady talked about
9 education, and you said that you didn't believe that it
10 required two years' worth of mortuary training for the
11 representatives of the cemetery. Does the Association --
12 and I believe you said it provides education for cemetery
13 operations, but I take that there is no standardized --
14 since you only have 300 of 800 members, there really is
15 no standard education for consistent employee operations
16 for a cemetery?

17 MR. LAPIN: Well, we conduct -- we have two meetings
18 a year, and we conduct as part of those meetings
19 continuing education, and, in fact, our continuing
20 education qualifies for the funeral directors license.
21 We also conduct a crematory operators certified course.
22 Almost every month we conduct it at someplace in the
23 state. We do have -- we try and have things related to
24 operations, but each cemetery in some respects is -- has

1 its own sales methods, its own products and services and
2 they conduct their own training courses for their people
3 or we will send somebody out to assist them.

4 DR. BRAZIER: Your certification is certified by
5 whom?

6 MR. LAPIN: Well, we have an association -- we have
7 two things. The crematory report -- crematory program
8 was certified by the Comptroller's office who supervises
9 the Crematory Regulation Act. We were the first
10 cremation course in the state to be so certified, and one
11 of the few that is certified. The cemetery information
12 and other information, we have a certification as part of
13 the Association. So you can become a certified person
14 under the Association in certain levels of being familiar
15 with the laws, et cetera.

16 HONORABLE HOLMES: Thank you so much. We really,
17 really appreciate your patience. I know we were limited
18 to 10 minutes, but we let your testimony go much longer
19 than that because it was extremely valuable to the task
20 force so we really, really appreciate it. Thank you so
21 much.

22 MR. LAPIN: Thank you, and we are available as a
23 resource. And if you need more information, just ask.

24 HONORABLE HOLMES: We will be taking you up on that

1 offer. Thank you so much.

2 I would also like to recognize in the room
3 Ms. Donna Hampton Smith who is the chief of staff to
4 State Representative Ken Dunkin couldn't be with us
5 today.

6 Our next individual who will testify will be
7 the Reverend Jesse Jackson.

8 Reverend Jackson is well-known for many
9 accomplishments, and he is here today in his capacity as
10 a community leader and as President and Founder of the
11 Rainbow Push Coalition.

12 Reverend Jackson, thank you for joining us.

13 REVEREND JACKSON: Thank you, Honorable Chairperson,
14 and each of you on the committee. Thank you for the
15 diligent work that you are engaging in now.

16 I asked a couple of the funeral directors who
17 take the most bodies to bury to Burr Oak Cemetery to sit
18 with me because they must be in the mix of interpreting
19 what's happening in Burr Oak. And may I ask you a
20 question. You gave your mission is by September 15th to
21 have a comprehensive review, that's your mission?

22 HONORABLE HOLMES: Yes, it is. That's our charge by
23 Executive Order, yes.

24 REVEREND JACKSON: I'm trying to distinguish between

1 the information you will be gathering between now and
2 then, that's one issue, and the emergency crisis at Burr
3 Oak specifically now. Is that your mission or is that a
4 different mission?

5 HONORABLE HOLMES: The emergency crisis that's
6 taking place at Burr Oak now is being handled by other
7 individuals. That's not our mission.

8 REVEREND JACKSON: That's a good distinction to make
9 because there is a need for a process, a plan,
10 recommendations by September 15th. We're in a very
11 different season at Burr Oak now as contrasted with what
12 will happen by September 15. We really need such a
13 commission to deal with the rightness of the crisis.
14 That's why I recommended that one of the funeral
15 directors most affected, and maybe Senator Meeks who is
16 pastor and senator and the Cook County Bar be part of
17 such a commission because I will share with you some of
18 the issues we have right now.

19 Those -- we have hear an awful lot about the
20 funeral services, but the Perpetua owns Burr Oak and
21 Cedar Park, and if they are doing this at Burr Oak and
22 making money, is it happening at Cedar Park too? We
23 understand it's a common management. The funeral
24 director takes the family to the grave site to do their

1 work, they all leave and the gate closes. If it's
2 working at Burr Oak, is it working at Cedar Park?

3 Really how widespread -- we went and found one
4 grave site that -- on the cemetery that was closed
5 somehow they remain open for more and more funerals but
6 no more land, but they never run out of burial space. It
7 is a very common question raised in the community.

8 There is a history of black burial grounds
9 being desecrated in this way. Much of the Wall Street
10 financial district is built on the African burial ground.
11 We had to fight to stop that some years ago. Many of our
12 highways run through the eminent domain desecrated burial
13 sites of black people who didn't have the power to
14 protect themselves. So the character of this Burr Oak
15 situation strikes home as being an historical pattern of
16 desecrating the grave sites of blacks.

17 But then the poor, we understand that as of
18 July the 1st, the state will no longer pay for the
19 funerals and burials of Public Aid recipients. We need
20 to validate that. We think that's a fact. If it is, who
21 will handle them, and where will they go? Will they go
22 to a potter's grave? We do not know.

23 But while Perpetua's created this crisis,
24 something happened after the funeral services,

1 departments were contacted, they're heavily regulated,
2 health department, embalming, all kinds of training.
3 They didn't take these bodies to an unregulated cemetery,
4 the fights for the right to have state's rights, private
5 rights, by religion by some other means. They are
6 fighting the right to come under common regulation for
7 citizens and, therefore, the funeral directors are
8 getting a very heavy hit as if somehow they are at fault.
9 It has nothing to do with what Perpetua has done or
10 happened on this watch.

11 Mr. Adams, there is one issue of great concern,
12 frankly, that these funeral directors, mostly black, in
13 fact, are only compelling production of books and records
14 within 21 days or there will be consequences. I hereby
15 order any person or entity presently licensed under the
16 Funeral Directors, Embalmers or Licensing code to produce
17 any and all books, papers, records or any other documents
18 in his or her possession relating to Burr Oak. Such
19 material shall be delivered or forwarded within 21 days
20 of this order or there will be -- any failure of any
21 licensee to comply with this order will subject that
22 licensee to disciplinary action by the Department
23 pursuant to the Funeral Directors and Embalmers Licensing
24 Code and the rules promulgated thereunder. Rather this

1 applies to Burr Oak.

2 So these funeral directors are now having to
3 hire extra people, and some are even losing service,
4 customers, business because they're now filled up with
5 trying to unearth 5 years of records, and yet Perpetua is
6 not at the table, but they're at the table. So how
7 they're handling the public's assistance people, Ma'am
8 Chair --

9 HONORABLE HOLMES: Reverend Jackson, I'm sorry to
10 interrupt you, but I wanted to make the record clear that
11 you are joined at the table by Spencer Leak, Jr. of Leak
12 and Sons and Charles Childs of A.A. Rayner, is that
13 correct?

14 REVEREND JACKSON: Indeed.

15 HONORABLE HOLMES: I'm sorry to interrupt, but I
16 wanted --

17 REVEREND JACKSON: The reason I wanted them here is
18 because much of this for many of us is also new in the
19 sense that when we recall when the story began to break,
20 when Sheriff Dart was out there doing his work,
21 Comptroller Hynes was out there doing his work, we didn't
22 know what to do except organize some ministers, Pastor
23 Brazier, Pastor Meeks, began organizing pastors who we
24 knew were very involved in care and then we met with the

1 funerals directors at Mr. Cages' funeral home -- he's
2 here with us today -- trying to organize ministers and
3 funeral directors rather hurriedly, then we found out
4 their problems are backing up.

5 Now that Burr Oak is closed, where do they take
6 bodies? There's one black funeral home -- cemetery owner
7 who as -- the nature of his business, people sign off on
8 the stacking, for instance, the commitment they make
9 because they're basically poor people, but now that he
10 has been overrun and Burr Oak has closed, we have one of
11 these heat waves in Chicago, we are going to have bodies
12 in refrigeration, and they have no capacity to hold those
13 bodies.

14 Then as they service these bodies they must get
15 paid for their work because they have to embalm and care
16 for the families, and, of course, pursuant to present law
17 if they have to go to Minnesota to bring back a body and
18 process it, it's like \$1100. So the black funeral home
19 director is getting ready to take a big hit on Burr Oak.
20 Not only is it a money hit, it's a servicing hit that
21 they have to provide, and the people themselves who are
22 affected.

23 So I was anxious, and I thank you for allowing
24 me to say I wish the Governor would do maybe two things.

1 One, another task force whose mission is slightly
2 different than this task force's mission. So we support
3 this task force's mission, but there's room for another
4 task force that are focused on Burr Oak in very
5 fundamental ways. It could be Burr Oak and Cedar Park.

6 Number 2, that -- we have found since we have
7 gotten involved the State's Attorney has some role to
8 play relative to consumer protection, and the Comptroller
9 has a role to play, the Sheriff has a role to play,
10 national professional services and regulations. So the
11 effective agencies can be convened by the Governor,
12 because no one else has quite the convening credentials
13 as it were to convene the family of interests that's
14 converging on Burr Oak at this time, and, of course,
15 there are issues like the Emmett Till factor, promises
16 made by Perpetua which they did not keep and other kind
17 of fears.

18 So I really wish if you would allow me for
19 Mr. Leak and Mr. Childs to just briefly share with you
20 what their crisis is on the rightness of Burr Oak if
21 you don't mind.

22 HONORABLE HOLMES: I don't mind at all. Who would
23 like to go first?

24 MR. CHILDS: First of all, again thank you for this

1 opportunity to address the committee and the task force.

2 Representative Brady and Representative Davis,
3 we share some of the same concerns. Obviously we've been
4 inundated with thousands and thousands of requests for
5 information regarding Burr Oak Cemetery. To this date
6 that's basically all we've been doing is trying to find
7 records for families who are unfortunate victims in this.
8 We ourselves are victims because we additionally have
9 families out there that we have no information on. We
10 can't get to the cemetery to provide information for
11 ourselves or for our families. We have families that
12 want to be interred at Burr Oak Cemetery, unfortunately
13 they can't. So there is a problem with the nowness of
14 this situation.

15 We have shared concerns that now we've been
16 given instructions from the department to provide
17 records. Just today we had a visit from the Sheriff's
18 office asking for records since 2001. So we're again
19 inundated with requests for records, and as much as we
20 would like to, we need time to provide these records. We
21 have to archive some of these records. We're talking
22 about going back 8, 9 years now. So it's a burden on us,
23 and we know that, as much as we can, we will assist and,
24 of course, same with this task force, assist as much as

1 possible. But we just want to convey the fact that, you
2 know, not only are these families suffering so are the
3 funeral directors that have supported these families.

4 REVEREND JACKSON: This order is tantamount to a
5 subpoena, if you don't do certain things by a certain
6 date, it's the first step toward criminal investigation.
7 And then in perusing their books, if there's something,
8 God forbid, that's inconsistent, then they got stopped
9 for traffic ticket and get arrested for gun in a car or
10 something in goes on into -- they're right now in the
11 criminal investigation de facto. And Perpetua is not at
12 the table.

13 This is Perpetua's criminal behavior and cost
14 of behavior, and I want to emphasize it again because
15 we're looking at -- remember when we had this crisis with
16 the heat wave a few years ago. In a few days they're
17 looking at bodies stacked with up with no refrigeration
18 and no capacity to bury them.

19 MR. LEAK: Thank you everyone to the committee and
20 to everyone who is here.

21 First of all, I'd just like to say that my
22 heart goes out to all the families affected at Burr Oak.

23 1989 I graduated from Southern Illinois
24 University, majored in mortuary science and funeral

1 service, took a 6-hour national board examination, went
2 through a summer of internship, year's apprenticeship.
3 At that time I had to take a city test -- funeral
4 directors in the city had to take a test. Flunked it the
5 first time, passed it the second time.

6 1991 I got my funeral director's license and
7 embalmer's license. Took control of one of my first
8 funerals. Going out to a certain cemetery, maybe back in
9 1991, it was raining. A lot of people were at this
10 funeral. And I got to the cemetery, the grave was a
11 mess. It wasn't Burr Oak Cemetery, but the grave was a
12 mess. Got out of the hearse, and before I could even
13 close the door, the mother of this deceased, along with
14 maybe 100 other people, crying, the mother was crying.
15 She punched me in my chest. She said, why are you --
16 pointing at me -- why are you putting my son in this
17 grave?

18 I don't own a cemetery, never had a cemetery,
19 my family doesn't own a cemetery, but yet the public
20 perception is that the funeral home or the funeral
21 director is in charge. I went back to the funeral home,
22 I told my granddaddy A.R. Leak what happened. From that
23 moment, he instructed all of our funeral directors, when
24 you're making arrangements with the family, insist that

1 they go out to the cemetery, talk to the cemetery workers
2 about the grave, view the grave that you may purchase.

3 Here's the problem. There's no law stating
4 that the family has to go to the cemetery. There's no
5 requirement from the cemeteries that the family have to
6 go. So when making those arrangements a family will tell
7 me, Junior, I'm just a little tired, I don't want to go,
8 call them on the phone and order the grave for me.
9 Junior, your granddad didn't do that. Pardon me, but
10 where's your dad? We rather work with him. Junior, I
11 talked to the cemetery this morning. They said that we
12 can take care of all of the business at your office, they
13 don't have to come out, just give them a call. Here's
14 the stinger, Junior, you lied to me. You said that we
15 had to go out to the cemetery. I went to the cemetery,
16 and the cemetery told me that all of this could have been
17 taken care of in your office. All I had to do was make a
18 phone call.

19 I'm a licensed funeral director and embalmer.
20 When your loved one passes away, a license the funeral
21 director and embalmer has to remove that person from
22 their place of death. A licensed funeral director has to
23 make arrangements on your loved one. A licensed funeral
24 director has to -- or a licensed embalmer has to embalm

1 your loved one. And all of these things, if we don't do
2 it, we could be fined and disciplined.

3 A licensed funeral director has to take your
4 loved one to the cemetery. But when we get to the
5 cemetery, there's nobody there that's regulated or has to
6 be or is in control. That is wrong, that is wrong, and I
7 think if cemeteries are required -- if there's a law or
8 legislation that can be passed for cemeteries to require
9 families to come to the cemetery, be given an itemized
10 price list like we have to give our families when they
11 come into the office, sign a cemetery contract like we
12 have to do when a family comes into our office, the
13 problem at Burr Oak would not have taken place because
14 families would have gone out to their graves or to the
15 cemetery of their choice, saw if they wanted to bury
16 close to a loved one, the cemetery could have showed them
17 their loved one's grave here and said, hey, here's a
18 grave here for this amount, here's a grave here for this
19 amount, which one would you like to purchase, taking us
20 completely out of the situation.

21 We are licensed funeral directors and
22 embalmers. We are not licensed cemetery caretakers.
23 I've never filled out a cemetery contract, I don't have
24 to sign -- don't see a cemetery contract. Why should we

1 be responsible for taking care of the cemetery's work?
2 They get paid just like we do. Sometimes they get paid
3 even before we do, and it's not fair.

4 While we're on the subject of regulating the
5 funeral industry, casket stores. If a person buys a
6 casket from a casket store -- any 18-year-old intern can
7 sell a casket to a family, yet when you come to a funeral
8 home, a licensed funeral director being paid licensed
9 funeral director salaries has to sell that casket. And
10 if we don't, if a licensed funeral director does not sell
11 that casket, we can be fined.

12 Casket stores, there should be a licensed
13 funeral director selling caskets. The reason why, many
14 times a casket -- a family will purchase a casket from a
15 casket store, the casket is too small. Guess what?
16 Who's to blame for that? We are. We are. So if there
17 was a licensed funeral director at the casket store,
18 those -- asking the correct questions, those problems may
19 not occur. I have no problem with casket stores, but
20 let's be on a level playing field.

21 Thank you.

22 REVEREND JACKSON: Let me say something. Bottom
23 line is the funeral directors are regulated, cemeteries
24 are unregulated. That's a fundamental distinction. They

1 are already under your watch. Cemeteries owners that buy
2 some property and live in Arizona and yet they have --
3 it's for them a cash cow, for them it's a regulatory
4 responsibility.

5 I think the second issue is that some people
6 came to us who was concerned about relatives who have
7 been there say maybe 25 years or longer, others who have
8 been there like 3 months, that suggests maybe it didn't
9 excavate all of the vaults, maybe they even sold some
10 caskets. We don't know. An investigation because a
11 casket that is 2, 3 months old is in this kind of hot
12 shop is marketable, and that's why again -- we don't want
13 to burden you with all the specifics of Burr Oak because
14 it's not your charge, but somebody's charge must be I
15 submit to you August 15th or earlier we are going to be
16 looking at stacked up bodies with no place to bury them
17 and right now no provisions for the county morgue or some
18 other entity to handle that.

19 HONORABLE HOLMES: Thank you very much. May I ask
20 you some questions Mr. Spencer. Several questions.

21 The first starting off with, what you are
22 talking about with respect to funeral directors and
23 regulation sounds like it's very effective. Is that --
24 would you agree with that?

1 MR. LEAK: Yes.

2 HONORABLE HOLMES: Would you agree that cemeteries
3 ought to be regulated in the same manner possibly by the
4 same agency in order to bring about the fair play that
5 you're talking about?

6 MR. LEAK: That's correct.

7 HONORABLE HOLMES: Because of the knowledge and
8 skill that they already have with respect to what they're
9 doing in your industry, would that be fair to say?

10 MR. LEAK: That is correct, yes.

11 HONORABLE HOLMES: Now, with respect to this
12 business with the casket stores and the funeral directors
13 sort of having -- are the casket stores not regulated by
14 the Department of Financial Professional Regulation, is
15 that --

16 MR. LEAK: They are not regulated by the department.

17 HONORABLE HOLMES: And I ask this question to you
18 both. What would you say would be some relief with
19 respect to your difficulties in getting these records,
20 because as you know and, Reverend Jackson, I agree with
21 you that you raise a very serious issue with the bodies,
22 however, the task force needs documentation in order to
23 complete our mission as well. So what kind of relief
24 would you suggest? I mean we need the documentation, we

1 need the records, but if it's causing a very serious
2 burden and backlog to you, how do we resolve that? What
3 is your recommendation?

4 MR. LEAK: Just Saturday our lobby -- what we've
5 done to help Burr Oak families is from maybe 1960 up
6 until the 1990s, we have a lot of our records in the
7 lobby for families to come in and ask us to assist them
8 to try to at least find the page where -- we've always
9 taken notes from it looks like from at least 1959 from
10 the records that I found where we would jot down certain
11 information.

12 During that time it may have been not the
13 requirement, but maybe a secretary or something at our
14 funeral home jotted down the section number, the lot
15 number, the grave number; however, the cemeteries were
16 not required to give that to us.

17 On Saturday our lobby was so full we had a
18 family to come in, they waited for so long, they left.
19 My dad tried to catch them going down the street, but he
20 couldn't. That's just the type of person he is. They
21 came back, thank the Lord; however, we just need some
22 time, first of all, to help the Burr Oak families with
23 what they're going through now. Secondly, to get our
24 records. Yes, my records are computerized. I'm not a

1 computer genius, but I know you can query this and do
2 this, do that. So I mean I'll be ready very shortly.
3 However, I'm speaking for all of my colleagues. They may
4 not be as ready as I am. We all need time.

5 SECRETARY ADAMS: May I comment on some of this.

6 HONORABLE HOLMES: Before we do that I'd like to
7 hear --

8 MR. CHILDS: That's another issue, just give us
9 enough time. I know 21 days, Secretary Adams, is rather
10 quick, and as well now that the Sheriff department has
11 come in and asked for a duplicate of the same kind of
12 records, we just need time. We'll do it, we'll comply.
13 We just don't want to be held in noncompliance if we
14 don't make the 21-day deadline.

15 We've hired additional staff, we've got kids --
16 high school students assisting us in pulling records just
17 to provide employment for opportunities for young adults.
18 Just give us time.

19 REPRESENTATIVE DAVIS: Ma'am Chairman --

20 SECRETARY ADAMS: May I respond to this informal or
21 formal request for time. Our first priority is the same
22 as yours, that is, the proper treatment of the families
23 whose loved ones have passed away. So that is our first
24 priority.

1 To the extent you need more time, please
2 contact my general counsel, and we will be reasonable and
3 fair with respect to that.

4 I'm also happy to report that some licensees
5 have indicated they would volunteer to assist with the
6 situation, so perhaps assisting with some of the overload
7 and the lack of capacity that has been created with the
8 Burr Oak Situation.

9 So we will to the greatest extent possible
10 attempt to mobilize resources to address that capacity
11 issue. So I'm very sensitive to your concerns, grateful
12 for your presence here and for your commitment to your
13 profession, and we will work with you to get this
14 resolved.

15 HONORABLE HOLMES: Our first question is going to be
16 from Representative Davis.

17 REPRESENTATIVE DAVIS: Thank you very much, Ma'am
18 Chairman.

19 First I want to say Howard Brookins is here
20 also from Brookins Funeral Home, and I know he has a very
21 small operation, and this request that's been made of you
22 by the Department of Professional Regulations I think
23 it's a bit harsh. I think it's a bit unfair. It appears
24 to be attempting to make criminals out of people who

1 obviously have not committed any criminal acts. I would
2 like to see something asking for the owner of that
3 cemetery to show himself before 21 days. I have not seen
4 him, I have not heard one question from him or -- you
5 know, he's just not here. I'd like to know where he is.

6 I don't want to see one of our businesses go
7 out of business based on this act, based upon what's
8 happening here. I would suggest that all of you make an
9 appointment to meet with Governor Quinn and explain to
10 him the situation and the deadline that's unbearable and
11 that you can't make it.

12 REVEREND JACKSON: Tomorrow at 3:30.

13 REPRESENTATIVE DAVIS: Do that.

14 Thank you, Ma'am Chairman.

15 HONORABLE HOLMES: I will address the Perpetua issue
16 very briefly. There is a criminal investigation going
17 on, and one does not know whether they might be involved.
18 As you heard earlier, there's issues with respect to
19 knowledge and intent. So it may be difficult to have
20 them at the table, but we most certainly are not
21 attempting to criminalize any of the activities that are
22 taking place by law abiding funeral directors who are
23 only doing your job, and I'm happy that you came here to
24 bring to light the difficulties that you're having, but

1 as you see, we are most certainly going to be reasonable.

2 We're operating in a short timeframe in
3 attempting to get things done, but we most certainly want
4 to make sure that we're not overly burdening you and
5 impacting you in a negative way.

6 REVEREND JACKSON: The reason I wanted -- I thank
7 you so much for your kindness. X person dies, they go to
8 Pastor Brazier, just lost a loved, you or me, we are
9 getting ready to call X funeral home. It kind of stops
10 there for families. It's a blur between that and the
11 cemetery, which is not one in the same. And the issue is
12 not the minister did something wrong or the funeral home,
13 it's the cemetery where some violation took place. The
14 cemetery did cash for plots, the cemetery hustled people,
15 cemetery the gate was closed, used tractors to excavate
16 remains and throw them away, and they appear to have the
17 least burden on them, and they have been fighting for the
18 right to remain -- they have the right to do this some
19 more. They have -- these guys, and is it 48 hours have
20 to have the death certificate from the doctor, 72 hours a
21 document from the funeral directors.

22 The cemetery have no such obligation. They are
23 free to run. It is in that gap between what the doctor
24 must do, the funeral director must do, the cemetery has

1 no obligation to do any time soon. That's where the gap
2 that allows the scheme to operate.

3 HONORABLE HOLMES: For purposes of scheduling I'd
4 like to alert everyone that we only have approximately 10
5 more minutes, and I'd like to get several questions in,
6 and Representative Brady will have the next question and
7 then we'll ask the task force to ask additional questions
8 so that we can complete our meeting today fairly timely.

9 REPRESENTATIVE BRADY: Thank you very much, Ma'am
10 Chair. I'll be as brief as I can.

11 First off, gentlemen, Reverend, thank you very
12 much for being here. My colleagues in the funeral
13 profession thank you for the service which you bestow
14 upon families.

15 I certainly understand the order of the extra
16 burden placed on you. I received the same order, but
17 obviously in my area, I don't have any burials at Burr
18 Oak Cemetery. So I can sympathize with you and the
19 position that you're in. I heard the Secretary say they
20 would be as accommodating as they could as far as
21 granting you more time, and I greatly appreciate that. I
22 had also made the suggestion to Sheriff Dart's
23 investigators that the Department of Vital Records who is
24 in charge of death certificates in the State of Illinois

1 and birth records going back to the beginning of time
2 would be a potential great assistance to them, and they
3 are researching that is my understanding through Director
4 George Rudis. So I hope that will relieve some of the
5 pressure that you are bearing.

6 Also, being the author of the electronic filing
7 of death certificates in the State of Illinois, and after
8 8 years we are finally up and going a little bit. Too
9 bad that wasn't in place a long time ago.

10 With that being said, it was my understanding
11 that Burr Oak was open for burials at this time, is that
12 correct?

13 MR. CHILDS: No.

14 REPRESENTATIVE BRADY: They are not open for any
15 type of burial?

16 MR. CHILDS: No.

17 REPRESENTATIVE BRADY: Also in regards to the Public
18 Aid side of things burial cost, cost of Public Aid,
19 Reverend, you indicated and to my colleagues there, my
20 understanding we're about 1655 right now as far as total
21 what could be claimed as far as burial cemetery costs go.
22 I helped author in '06, '07 an increase in that. I was
23 against what was proposed this year for reasons that I
24 can get into later, but I think the point is, much like

1 any provider in the State of Illinois right now,
2 unfortunately maybe people understand this in the death
3 industry right now, but my guess between you gentleman
4 there at the table, you are owed a lot of money from the
5 State of Illinois when it comes Public Aid funerals.
6 Instead of some minimal increase I would venture to guess
7 you would like to have your bill paid in a more timely
8 fashion from the State of Illinois instead of maybe
9 getting another \$50 or 100 or whatever the case may be.
10 My guess would be you're 6 months in arrear?

11 REVEREND JACKSON: The last budget -- we need to
12 know because we are getting conflicting information. Did
13 they cut burial/funeral costs for Public Assistance?

14 REPRESENTATIVE BRADY: As of this new budget that
15 has been signed by the Governor the money is there for
16 reimbursement at the level it is for Public Aid funerals
17 at this time.

18 MR. LEAK: We did get a letter prior to July 1st
19 saying it would be cut off, however, we have not gotten a
20 new letter saying it's still there.

21 REPRESENTATIVE BRADY: You need to be informed of
22 that with the new budget just being in the last week or
23 so here. I can certainly understand and sympathize with
24 you on that. We'll work on getting that corrected for

1 you. Point being, certainly bringing up the payment
2 cycle is what you gentleman would like to see occur
3 quicker. I understand that.

4 I would also say, Mr. Childs, sir, I don't know
5 what school you were at, but you and I share a common
6 bond of being Salukis together. So keep up the good
7 work. I thought you -- Charles, are you -- all right.
8 Thank you, Ma'am Chair.

9 HONORABLE HOLMES: We'll take questions from the
10 task force.

11 DR. ARNOLD: I just want to make one comment. My
12 department, the Illinois Department of Public Health, has
13 been moving over the last one year to going into making
14 sure the electronic death registry and birth certificate
15 registry is intact. So that system now is actually
16 moving to a statewide electronic death registry system
17 that should be in place within the next couple months or
18 few months.

19 Also, as part of that, I was listening to the
20 comments that you made before, Reverend Jackson, and of
21 all the funeral directors here, thank you so much for
22 taking care of the bereaved families. Actually my wife
23 has 13 family members who are buried there as well in
24 Burr Oak, so I thank you for all the outreach you have

1 been doing.

2 But also one of the points that Mr. Leak
3 brought up was the idea of having the cemeteries, you
4 know, comply with the death registry. We are actually
5 looking into that as being a potential for them to have
6 to register with a number, an ID number just like the
7 doctors and the funeral directors so that they actually
8 link this together into one record format that you can
9 actually obtain. So that -- they are looking at that
10 now. It does not seem to be a big problematic issue to
11 take care of. That's all.

12 DR. BRAZIER: This is Dr. Brazier.

13 Just a recommendation that I would like for
14 this task force at least for my own information. Going
15 back to Representative Brady who is a licensed funeral
16 director. That -- I would be interested in knowing your
17 opinion concerning his legislation and any other
18 recommendations that this task force -- that you would
19 recommend. We see the situation that you're in. I don't
20 want to be in the position to articulate on your behalf
21 what you would like to see in that so I would like some
22 information and recommendations from you specifically.

23 MR. McNARY: Gentlemen, I don't have a question. I
24 just can't miss the opportunity to thank Reverend Jesse

1 Jackson, of course, for his outstanding leadership during
2 the course of his lifetime, and as always your analysis
3 here is very helpful to this committee.

4 To the gentlemen in the funeral business,
5 Mr. Leak and Mr. Rayner, I want to thank you too for your
6 service.

7 REVEREND JACKSON: Senator Brookins.

8 MR. McNARY: I wanted to save Senator Brookins for
9 the last, because the reason I know that there is dignity
10 and honor and respect for the dead is that Senator
11 Brookins has buried my wife, my mom and dad and many
12 members of my family for many years, and I want to thank
13 you personally for the comfort you provided to me and my
14 family in time of bereavement so thank you so much.

15 MS. ZOPP: This is Andrea Zopp. I just have one
16 question, and again thank you all for coming and for your
17 input.

18 One of the things we're concerned about is the
19 cost of any regulatory scheme, and so one question I have
20 is, if we -- if there's a scheme where we require or
21 we're looking at requiring computerization of records,
22 can you just give us a feel for -- if we put in that over
23 time, is that unduly burdensome, is that not possible? I
24 know one person said they're already computerized. I

1 just don't have any feel for -- obviously everybody is
2 different, but if you can just give us some sense of what
3 kind of burden that imposes on you and your business
4 operations.

5 MR. CHILDS: I think that all of us are
6 computerized, Miss Zopp. It's just that our businesses
7 go back a lot longer than even computers. So we do have
8 some archived records that need to be inputted into the
9 system. It just takes time.

10 MS. ZOPP: That's actually very helpful though
11 because as you know Burr Oak, for example, was completely
12 not computerized. So I just didn't have any sense of
13 your side of the house.

14 MR. CHILDS: All the funeral homes today are
15 basically computerized because we have to be in order to
16 participate in the electronic death registration system.

17 REVEREND JACKSON: I'd like to come back to
18 Mr. Brady's point though is that Burr Oak was taken into
19 receivership the last time because of interfering in the
20 funds -- funds manipulation. So the issue of the fund
21 manipulation, Perpetua funds, is an issue that begs the
22 question again about one set of rules on the regulation
23 side for how the industry and what is criminal behavior
24 when you interfere with funds is criminal behavior, and

1 we cannot turn -- the same company, the same management
2 team manages two cemeteries in the same area under the
3 same company and it could very well be as Senator
4 Brookins said more than once Burr Oak Plus.

5 SENATOR BROOKINS: Can I elaborate a little bit
6 because I happen to be in the legislation at this time
7 this was changed and the fight went on, and I opposed it.
8 The cemeteries are able to use their trust fund for other
9 businesses, and that's what happened. We're talking --
10 we have trust funds that we've governed for funeral
11 service, we can't use them for anything else but that
12 funeral service at the time of death for that loved one.

13 The cemeteries can take their trust fund and
14 use it to build other cemeteries, to buy other
15 cemeteries, and et cetera. That is what we're talking
16 about is not an even playing field, and that is what --
17 and invest, and, therefore, you need to look into that
18 situation. I'm sure that Representative Brady is
19 familiar with what I'm talking about.

20 REPRESENTATIVE DAVIS: Ma'am Chairman, is Cedar
21 still open? Is the other cemetery owned by that owner
22 still open?

23 MR. CHILDS: Yes.

24 REPRESENTATIVE DAVIS: That is open. He's not in

1 charge of it is, is he?

2 MR. CHILDS: The management team is. He still owns
3 it. Cedar Park cemetery is still open and operating.

4 REPRESENTATIVE DAVIS: That should not be.

5 MR. CHILDS: They are.

6 MR. SULAMOYO: Dalitso Sulamoyo.

7 Is there -- Do you have a formal association
8 for black funeral directors?

9 MR. CHILDS: Absolutely.

10 DR. ARNOLD: One further question regarding the
11 bodies that you were talking about.

12 I went and spoke to the emergency management
13 faction on the top of the state level, and we were
14 talking about this and actually got in contact with David
15 Ramos, he is the director of the emergency management
16 section for Cook County, and from what I understand is
17 that the Cook County Coroner's Office and the Medical
18 Examiner that they have a capacity of about 120 -- about
19 150 bodies, about 120 as of yesterday. They also have
20 the capacity for expansion to 500, if necessary, in an
21 emergency situations. But, you know, the Governor's
22 offers asked me to a little bit of preliminary stuff in
23 the background looking at that and -- from the medical
24 standpoint.

1 So I'm trying to find out if there is -- what
2 is your perception about what is going on in your
3 establishments right now as far as the problem with the
4 bodies.

5 MR. CHILDS: Right now the families are choosing
6 other cemeteries because they just don't want to leave
7 their loved ones unburied. So we don't have in -- I know
8 that Spencer was just approached the other day.

9 MR. LEAK: I do have someone right now that was in a
10 holding pattern because I told them that possibly Burr
11 Oak was going to open back on August 1st. Reading in the
12 paper yesterday, or the day before, I learned that that's
13 not going to take place. So I did have to tell her that
14 we can't go to Burr Oak. She still hasn't decided
15 whether or not she wants to go to another cemetery. So
16 as of right now we're going to have the service and hold
17 the remains until she decides.

18 DR. ARNOLD: How is that affecting you as far as
19 capacity and ability --

20 MR. LEAK: She would be the first one. We do have
21 storage for maybe 10 to 15 remains, but other than that,
22 it could get a little hectic.

23 I remember maybe when I was in high school the
24 cemeteries went on strike and we had to hold remains

1 then, and we had to shut down one chapel to take remains
2 to hold them while that strike was taking place.

3 DR. BRAZIER: One recommendation, Ma'am Chairman, to
4 this task force. The gentleman who was here for the
5 cemetery association mentioned that there were -- there
6 was someone who was from the information systems industry
7 that provides support to them. I would recommend that we
8 ask that group to come in so that we understand from a
9 technology standpoint what does it take because people
10 avoid -- people don't go into information systems to
11 avoid acknowledging or having no -- I didn't know, didn't
12 have any knowledge of, and that's because you avoided the
13 information systems.

14 HONORABLE HOLMES: Is there some universal system
15 that you all use where you might know that a certain plot
16 has been taken by someone in other cemetery?

17 MR. CHILDS: No.

18 HONORABLE HOLMES: Would that be helpful to your
19 industry at all to have a database such -- where funeral
20 directors would know or could log in, not necessarily be
21 in control, but just have information available to you?
22 Would that be helpful at all?

23 MR. CHILDS: All information is helpful.

24 SENATOR BROOKINS: Let me suggest that there is

1 Willie Carter from Restvale Cemetery. I'd like to
2 recommend him to your task force and the reason being
3 that he started working in the cemeteries a little boy
4 from Mississippi when his uncle brought him up here.

5 HONORABLE HOLMES: What's the name again?

6 SENATOR BROOKINS: Willie Carter. I know
7 Representative Davis know him, probably spoke with him,
8 but he started as little boy he came from Mississippi
9 when his daddy brought him up, his uncle, and they came
10 up, buried people from the ground up. He would be very
11 helpful. He runs the type of cemetery that functioned in
12 the African American community. There's different
13 functioning the way these cemetery function.

14 The Catholic cemeteries function one way, and
15 one way only. You pay your money, you get buried.
16 African American cemetery, we buried for nothing. When I
17 started out, if you didn't have no money, we buried you
18 anyway. A.R. Leak granddaddy buried for nothing for 40
19 years or so. And if you went there you said your loved
20 one died, he buried you in the cemetery, most likely Burr
21 Oak or Restvale. Therefore, I recommend that you take
22 advantage of his expertise because he understands what
23 we're up against and what you will be up against as
24 Representative and the people that are crowding in

1 Operation Push now, and he can explain this and tell you
2 how, why, and how he does it.

3 HONORABLE HOLMES: You'll put us in touch with him,
4 right?

5 SENATOR BROOKINS: Yes.

6 HONORABLE HOLMES: In the interest of time, thank
7 you so much for coming out and testifying and talking to
8 us. I would ask that you remain available to us should
9 we need you for further information and the documents and
10 information that we're asking. We'll be in touch with
11 you to make sure we give you reasonable timeframes and
12 you can get this information to us in an unburdensome
13 way.

14 REPRESENTATIVE DAVIS: Ma'am Chair --

15 MR. CHILDS: I want to thank you. I just wanted to
16 let you know, Secretary Adams and I talked and I am
17 scheduled for the August 27th hearing also.

18 HONORABLE HOLMES: Great. Thank you. We do have
19 one additional individual that would like to testify.

20 REPRESENTATIVE DAVIS: I just want to ask one final
21 question of Reverend Jackson. Are you telling me that
22 Cedar Park is still open and the same management company
23 that was managing Burr Oak is managing Cedar Park?

24 REVEREND JACKSON: Open and operating, same

1 Perpetua --

2 REPRESENTATIVE DAVIS: Don't you see that that's a
3 tragedy in my community? In other words, it could happen
4 again. The same people are running it, the same people
5 own it. There is something wrong with that picture, and
6 I continue to say it's a crisis.

7 Thank you, Ma'am Chairman.

8 MR. CHILDS: We agree.

9 HONORABLE HOLMES: Thank you. Thank you. We
10 really, really appreciate that. Thank you very much.

11 At this point we would ask Mr. Rayfel Harrison
12 to step forward. Mr. Harrison has indicated that he
13 would like to testify about another cemetery that is
14 operating under similar circumstances.

15 Hello, Mr. Harrison. Thank you so much.

16 MR. HARRISON: Ma'am Chair, to the committee. My
17 name is Rayfel Harrison, and I'm here not as one that is
18 going through the ordeal at Burr Oaks, but to testify of
19 a similar incident.

20 In 2006 I went out to the Homewood Memorial
21 Gardens funeral service the day before Mother's Day to
22 pay homage to my mother, and after leaving the military
23 section where she's buried -- her body is buried along
24 with my father and brother-in-law and my sister, I was

1 unable as I would normally do when assisting in a funeral
2 as a minister or just going out to find and locate my
3 brother's resting place, Theodore Harrison, Jr., and as
4 you can see from this article here, it is the exact same
5 thing that they found at Burr Oak, headstones removed,
6 tarp covering up graves, open caskets -- I mean open
7 graves with caskets showing and so forth, and as a result
8 of this incident I came from -- I became familiar with
9 terms as reseeding, and I was informed by the young lady
10 that after a certain period of time that the director
11 would order the ground reseeded, not as in apple or grape
12 seeds, but as in doing whatever was going on.

13 HONORABLE HOLMES: You said reseeding,
14 R-E-S-E-E-D-I-N-G?

15 MR. HARRISON: Reseeding, yes. These are terms
16 which I became familiar with as a result of informing
17 Hyne's office -- Daniel Hyne's office, having them to go
18 look into this situation, and based on things that I have
19 heard here today from the individual that testified with
20 the Association, I've come to the conclusion that to
21 me -- my understanding is in regards to nonregulation is
22 do what you do until or as long as you don't get caught,
23 and I think it's an atrocity, and it's something that
24 your committee as well as the legislators there in

1 Springfield they need to look into further and
2 investigate this because I'm going to honestly tell you,
3 I didn't know what an indigent was, the term, until I was
4 told where, you know, all the indigents from the 1995
5 killer heat wave, they're buried over there.

6 As conducting funerals and going out to out
7 graveyard often with individuals, I knew exactly where my
8 brother's grave was located. Those that know me know
9 that I have a photostatic memory, very little that I
10 forget. I walked around for over 35 minutes successfully
11 to locate my brother's grave, and I still haven't got the
12 results because until I informed Ken Jennings of the
13 Daily Southtown, that's when the stones supposedly have
14 come up.

15 Last year I was told I was back in the
16 newspaper as a result of the same cemetery. Someone
17 went out there on Father's Day with their daughter and
18 son, they found a leg sticking up right out of the grave.

19 As a result of this incident this past June, I
20 was back in the Daily Southtown because this is a lady
21 out there had the same situation going on in her life.
22 You see here, June 29th, 2008. There we are. Everything
23 that has come forward from this individual and his
24 representatives has been belligerent, it has been

1 undiginified and insensitive and everything else.

2 And in this latest article all we was told with
3 his regards and his comments to the news media is that
4 these people don't know a damn thing about the cemetery
5 business and upkeep.

6 I was somewhat asleep, but still between, you
7 know, being awoke when I heard about this incident out at
8 Burr Oak, and I thought immediately that it was them, but
9 there's been questions asked as to Sheriff Dart who
10 probably don't remember me from meeting him at various
11 prayer breakfasts, Tyrone Carter's that -- did he think
12 there was any other situations like this going on?
13 Here's the evidence.

14 And I told those in regards to this situation,
15 it's not about money. Some things in life supersede
16 money. It's about dignity, and I believe that nothing is
17 by chance or accident, and it is all connected.

18 Now, my personal views about this after being
19 told, well, you know, it cost this much to have a body
20 entombed -- unearthed and all that, this would cost this,
21 that, and the other, I wasn't informed about anything
22 relative to contacting the Sheriff, but as I have
23 indicated through my representatives -- not to be
24 belligerent in my own terms -- there's a new sheriff in

1 town and they call his name Peter Fitzgerald. And as you
2 all being in the position that you're in, you need to
3 look a little further into what's going on because when
4 you start talking about indigents and Potter's field and
5 reseeding and the evidence is here, we just don't know
6 what has taken place, especially when you can boast, you
7 know, in this latest article, this individual states,
8 well, people should be happen that we are providing
9 services to indigents and people that can't afford
10 funeral -- burials. Well, you also are -- you also are
11 contracted by the County of Cook.

12 So when you start associating people's loved
13 ones that have paid for their funerals as well as their
14 burials to those that you just somewhat reseeding as he
15 stated earlier, someone stacking other individuals on top
16 of one another's, that to me as being a person from the
17 south side of Chicago and on the streets, that goes a
18 little bit beneath the surface as far as I am personally
19 concerned.

20 So I just wanted to be here to testify about
21 this, and I thank you for the opportunity which you have
22 given me to do so because no matter what the resolve may
23 be in changing the laws and all that, or whatever legal
24 actions may, you know, come forth to benefit my family

1 members that are suffering, we still have to live with
2 the reality that over the years, because of these
3 legislations and these laws of association just like the
4 individual testified about, there are certain -- there
5 are fraternal burial grounds, there are other type of
6 burial grounds, religious and so forth, and it was like I
7 was telling my family members, as well as the hundreds of
8 people that I have been counseling through my ministry,
9 well, over at this particular cemetery my mother, father,
10 sister, brother-in-law, their remains in the military
11 section. It's just like with Emmett Till, they
12 desecrated his casket, but they knew not to touch his
13 grave.

14 So just because it's clean over here, Jesus
15 Christ said, you are likened to sepulchres, outwardly
16 garnished and clean, but inside they were filled dead
17 men's bones. So I just stand on the testimony that I
18 believe that nothing is by chance, accident, and I do
19 believe that, as well as our Representative Monique Davis
20 and your honorable Bishop Brazier and the rest of you on
21 this committee, it is in your power to go forth and
22 change these laws and make these individuals be held
23 accountable as it was with Ken Leahy and Madoff and
24 anybody else that believed they can go above regulation

1 and so forth and laws that are set forth in this nation
2 that we have to bear witness, it's changing, and as
3 people -- as spiritual minded people and the divine, we
4 are going to have to submit to change because there is a
5 power that is beyond the power of man.

6 HONORABLE HOLMES: Thank you so much.

7 MR. HARRISON: That's what I'd like to say. Thank
8 you very much.

9 HONORABLE HOLMES: Thank you very, very much for
10 coming in and alerting us to this issue, and we will take
11 that into consideration as well.

12 Before we adjourn, I would like to let the
13 public know about our next meetings. We are working on a
14 website where this information will be published as soon
15 as we can get the website up.

16 The next meeting will be August 6th from 5:30
17 to 7:30. It will be a south side location. We are
18 working with Representative Monique Davis to determine
19 where that location will be. Earlier we were discussing
20 the possibility of Julian High School, which has parking
21 facilities, and it's easily located near 103rd Street off
22 of the Dan Ryan Expressway.

23 REPRESENTATIVE DAVIS: It's right off of Vincennes.

24 HONORABLE HOLMES: Off of Vincennes.

1 STATE OF ILLINOIS)
) SS:
 2 COUNTY OF C O O K)

3

4 CAROL CONNOLLY, being first duly sworn, deposes
 5 and says that she is a Certified Shorthand Reporter in
 6 Cook County, Illinois, and reporting proceedings in the
 7 Courts in said County;

8 That she reported in shorthand and thereafter
 9 transcribed the foregoing proceedings;

10 That the within and foregoing transcript is
 11 true, accurate and complete and contains all the evidence
 12 which was received and the proceedings had upon the
 13 within cause.

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16 _____
 CAROL CONNOLLY, CSR, CRR
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 Phone: (312) 386-2000

19

20 Subscribed and sworn to before me this

21

22 _____ day of _____, A.D., _____.

23

24 _____

