



Larry Hogan, Governor
Boyd Rutherford, Lt. Governor

Robert S. McCord, Acting Secretary

October 20, 2017

Eric Holcomb
Division Chief, Historical and Architectural Preservation
Commission for Historical and Architectural Preservation
City of Baltimore
417 East Fayette Street, Eighth Floor
Baltimore, MD 21202-3416

Re: The Confederate Women's Monument, The Confederate Soldiers and Sailors Monument, and
The Jackson Lee Monument, Baltimore City
Maryland Historical Trust Preservation Easement

Dear Mr. Holcomb:

On October 5, 2017, the Board of Trustees for the Maryland Historical Trust (MHT) met for the first time following August 16, 2017, when the statues of these three Confederate monuments were removed from their bases by the City of Baltimore. The Trustees reviewed the circumstances of the removals and our subsequent correspondences. The Trustees also heard a report from the Office of the Attorney General (OAG) regarding our meeting on August 24, 2017, and received legal advice from the OAG concerning MHT's rights under the Deed of Easement and the City's position, as explained in your letter of September 6, 2017, on the applicability of Easement restrictions to the City's actions. The Trustees appreciate the City's efforts since August 16 to safeguard the statues and their bases, trust that you will follow through with the recommendations made by Allison Luthern in her September 21, 2017 inspection letter, and look forward to working cooperatively with the City in facilitating the permanent relocations of these monuments. Like me, the Trustees are most interested in assuring the objectives embodied in the Easement: preservation of the monuments and public access thereto.

To these ends, the Trustees make two requests. First, you have informed us that the City has convened a working group that is exploring monument relocation options. The Trustees believe that it would be mutually productive to have Trustee representation on the working group. Ultimately, MHT will need to agree to and approve of the City's plans for permanent locations; we should therefore work together towards identifying and securing these locations.

Second, the Trustees believe that it is important to establish an achievable timeframe within which new locations are identified and secured, and installations are completed. While the Trustees appreciate that the issues concerning relocation are complex, they also believe that establishing benchmarks are imperative to seeing this matter through to resolution. In this light, the Trustees are hopeful that the City can work towards: (i) legally securing new permanent locations for the three monuments within nine (9) months of the date of this letter; and (ii) completing installations of the monuments at the new locations within eighteen (18) months.

At your earliest convenience, please let me know whether the City is agreeable to including a member or members of the Board of Trustees on the working group. Please also let me know if you foresee challenges in working within the timeframes identified above, as the Trustees are committed to establishing benchmarks that are realistic and achievable.

While the Trustees appreciate the difficult circumstances and decisions that appear to have confronted Mayor Pugh at the time she directed the removals of these statues, we believe, on the advice of counsel, that public safety concerns did not relieve the City of its legal obligations under the Easement. While the Trustees recognize that full restoration of the statues to their former locations—as is contemplated in the Easement to remedy a breach thereof—is perhaps untenable, they will not concede that MHT lacks the authority under the Easement to compel restoration. That said, and as explained above, the Trustees believe that the best way forward is for MHT and the City to work cooperatively towards a mutual resolution.

I look forward to hearing from you, and to our continued cooperation.

Sincerely,


for Elizabeth Hughes
Director
Maryland Historical Trust

cc: Catherine E. Pugh, Mayor of Baltimore City