

Final Report from the Ad Hoc Committee on Baldwin Hall to the Franklin College Faculty Senate

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“But the past never cooperates by staying in the past. Eventually it always reaches out to us and asks, What have you learned?”

Valerie Babb, at public forum *Conversation about Slavery at UGA and the Baldwin Site Burials*, Richard Russell Special Collections Library, March 25, 2017 (*Chronicle of Higher Education*, June 23, 2017)

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I. Introduction: Purpose and Charge of the Ad Hoc Committee

A. The discovery and handling of human remains at Baldwin Hall

Baldwin Hall is home to the Departments of Anthropology, Political Science, Public Administration and Policy, and Sociology. The front part of the building was constructed in 1938, with the rear extension added in 1942, on part of Old Athens Cemetery. This is the oldest cemetery in Athens and contains graves of both white and black individuals that date back to the 1790s; as was common for cemeteries of this time period, it was racially segregated. Construction for the expansion of Baldwin Hall was initiated in late 2015 with excavation of a parking lot, which also was originally part of the cemetery. On November 17, 2015, workers doing the excavation discovered human skeletal remains. The work was stopped immediately as site supervisors consulted with faculty in the Anthropology Department and the proper authorities were contacted. Once it was established that the site was not part of a crime scene and that the remains were old, the Office of University Architects reported this discovery to the Office of the State Archaeologist (OSA). Subsequently, the university contracted with Southeastern Archeological Services (SAS), a local cultural resource management company, and a process of assessment began. As described below, over the next year additional human remains were discovered and exhumed by SAS and Dr. Laurie Reitsema from the Department of Anthropology.

In initial reporting,¹ UGA officials stated that the burial remains appeared to be of white persons of European descent. However, the European ancestry of the remains was immediately questioned by local historian and UGA alumnus Fred Smith, Sr. Mr. Smith is the co-chair of the Athens Area Black History Committee, his family has lived in the Athens area for many generations, and he is descended from slaves. It is widely believed in the local community that Baldwin Hall was built on the slave part of Old Athens Cemetery, and Mr. Smith found this belief confirmed in a 1978 *Red and Black* article. Because he had learned that the remains of enslaved persons were removed from the location in 1938, Mr. Smith found it inconceivable that the remains of whites were found at the same location in 2015. From December 12 on, Mr. Smith contacted several UGA officials about the possibility that the remains were of enslaved persons, but there was no public announcement of this possibility by UGA.

However, the work of experts at UGA and elsewhere eventually shed more light on this issue. At the request of SAS, Dr. Laurie Reitsema of the UGA Anthropology Department was asked to provide osteological expertise during the archaeological excavations. Dr. Reitsema's main expertise is as a bioarchaeologist, and her initial research into the remains was focused on visually assessing the health, nutrition and lifestyles of the persons whose graves had been discovered. As expected, given this portion of a 200-year-old cemetery, many of the skeletal remains were poorly preserved. Of the 105 identified burial sites, Dr. Reitsema and her students successfully exhumed and cataloged individual bones and bone fragments from 64 skeletal remains. During December 2015, the question of genetic ancestry also arose. Dr. Reitsema had

¹<https://news.uga.edu/remains-found-baldwin-hall-site/> and <https://www.theguardian.com/us-news/2015/dec/14/bodies-baldwin-hall-university-of-georgia-27-graves-construction>

obtained support from the Office of the Vice President for Finance Administration (OVPPA) for her bioarchaeological research, and the decision was made to include analysis of mitochondrial DNA to determine the maternal ancestry of the remains. Because UGA is not equipped to handle analysis of human ancient DNA, Dr. Reitsema sent bone fragments from 42 individuals to the laboratory of Dr. Deborah Bolnick at the University of Texas for analysis of mitochondrial DNA.

During the period when this analysis was being conducted, decisions were being made by administrators concerning a reburial location for the remains. According to documents the committee received, the decision to reinter the remains in Oconee Hill Cemetery was made on or about November 1, 2016, and communicated in a conference call with OSA.

On December 17, 2016, Dr. Reitsema received the results of the mitochondrial DNA analysis from Dr. Bolnick. The analysis yielded conclusive or probable results for only 29 of the samples, but nearly all of those 29 individuals were of African ancestry.² Thus, Mr. Smith's assertions were proven to be correct. Given that burials were made in Old Athens Cemetery from the 1790s to the late 1800s, it is virtually certain that a large majority of the Baldwin Hall remains are those of enslaved persons or persons who were formerly enslaved.³ On December 22, 2016, Dr. Reitsema informed Gwynne Darden, Associate Vice President for Facilities Planning, of the DNA results; she had been instructed to report these results by phone.

On March 1, 2017, the UGA News Service (through the *Athens Banner-Herald*) announced that the vast majority of the burial remains analyzed for DNA were of African-American descent.⁴ In the same article, it was announced that the remains would be reinterred in Oconee Hill Cemetery and that the reburial would be commemorated with a ceremony on March 20, 2017.

This announcement was immediately followed by public controversy. On March 4, 2017, a press conference was held at the Morton Theatre and broadcast live on WXAG (a local radio station). A number of leaders from the black community of Athens spoke at the press conference, and two common themes were (1) dissatisfaction over the lack of consultation by UGA with these communities, and (2) dismay over the plans, announced so close to the event itself, to reinter the remains at Oconee Hill Cemetery. All public statements from UGA officials about the choice of this cemetery contained the same message, namely that UGA was following the guidance of OSA to reinter the remains in a location close to the original site (this assertion is analyzed in Sections II B and II C of this report, and discussed fully in Appendix I D 6). However, to many in the UGA and Athens community, Oconee Hill Cemetery was clearly not an appropriate choice. Despite a statement by a UGA official on March 4, 2017, that Oconee Hill Cemetery was

² Here and throughout this report, the term "African ancestry" means "recent African ancestry." In fact, all humans have African ancestry.

³ According to documentation produced by Fred Smith, the African American section of the Old Athens Cemetery was officially closed to further burials in 1858. Some evidence from the excavation of the remains post-2015, however, indicates at least a few burials took place later.

⁴<https://www.onlineathens.com/local-news/2017-03-01/university-georgia-reinter-remains-individuals-discovered-baldwin-hall>

“bi-racial” from its inception,⁵ it was well known to the Athens community to have been racially segregated until relatively recently. Linda Davis, a member of the black community in Athens well known for helping to preserve and restore the Brooklyn cemetery (a local black cemetery formed in 1882), informed this committee that she had been distressed that the people being moved to Oconee Hill “were going to be buried at the feet of the people who owned them.”

To the surprise and dismay of many community members (and University employees), the actual reburial took place on March 7 and was not announced to the general public. The precise manner of this reburial was of great concern to many. There was no presiding minister, there were no hearses, and there were no members of the Athens African American community (likely descendants) invited; a team of workers and an expert supervisor simply interred the remains without ceremony. Mr. Smith found out about the burial by chance, and viewed some of the reburial process from outside the cemetery gate, which had been locked. He immediately emailed many other members of the African American community. He also met with Dr. Valerie Babb, who at that time was Professor in the English Department and Director of the Institute for African American Studies. Together with a few other individuals, Mr. Smith and Dr. Babb viewed the last part of the reburial process and prayed together; by this time, the gate had been reopened. A long and detailed article⁶ entitled "Buried History" describing the entire incident was published in the *Chronicle of Higher Education* on June 23, 2017. Along with numerous other quotes, the article contains this quote from Dr. Babb: "My reaction was one of horror that remains were treated that disrespectfully." This reaction is echoed in remarks from Dr. Benjamin Ford of Rivanna Archaeological Services, a firm routinely employed by the University of Virginia; in conversation with this committee, Dr. Ford called the secret reburial “horrendous.” He added that “regardless of the property owner of any cemetery, it is commonly accepted that the ethical and humane course of action for those responsible for the exhumation and reburial of human remains is to make every attempt to identify and consult with descendants and descendant communities to determine their wishes on the issue of reinterment.”

There were certainly opportunities to inform community members about this reburial before it occurred. For instance, on March 6, 2017, two senior UGA officials--Dr. Michelle Cook, who at the time was the Associate Provost for Institutional Diversity, and Arthur Tripp, Assistant to the President--had dinner with Ms. Davis. According to Ms. Davis, Dr. Cook and Mr. Tripp were interested to know why she and other members of the black community were dissatisfied with the University’s plans for the Baldwin Hall remains. They made no mention to Ms. Davis of the reburial that would take place the next day.

Throughout the controversy that began with the March 1 announcement and has continued since, attention from both local and national media has not been complimentary of UGA. The unilateral decision by UGA to rebury the remains in secret, without ceremony and without sufficient consultation with the local African American community, has been of particular interest. Although there is no state or national law requiring such consultation in this case, it is the

⁵quoted in

<https://www.onlineathens.com/local-news/2017-03-04/black-leaders-call-uga-further-discuss-future-uneearthed-remains-baldwin-hall>

⁶http://www.franklin.uga.edu/sites/default/files/Buried_History_Chronicle_2017.pdf

guiding principle of archaeologists and others trusted with custody of human remains that stakeholders (the public and interested subsets of the public) should have their concerns addressed publicly and should be able to influence whatever decisions are made. Extensive discussion of this issue can be found in Section II C.

On campus and in the Athens community, administrative decision-making on this issue has been subject to ongoing criticism from two groups: members of the African American community who have felt disrespected by exclusion from a proper consultation process, and UGA faculty concurring with critiques about this lack of community consultation. Faculty have also expressed concerns that UGA officials have ignored or undervalued faculty expertise on this matter and have questioned decisions made by UGA officials over funding of research proposals. In short, University officials have been beset by criticisms about both community interaction and relations with expert faculty.

B. Events leading to the formation of the ad hoc committee

In early 2018, Dr. Laura German, from the Department of Anthropology, shared her concerns about multiple aspects of the handling of the Baldwin Hall remains with members of the Faculty Senate. A particular concern was that there had been no updates on the progress of the genetic study, oversight of which had been assumed by the Office of the Vice President for Research. Dr. German, along with Dr. Reitsema who was invited to join, were placed on the agenda for the February 18, 2018 Senate meeting and gave a short presentation. Dr. David Lee, Vice President for Research, had been invited by Dr. Reitsema to this Senate meeting and he provided information on UGA-funded research on the Baldwin Hall remains. At the close of these presentations, however, some Senators were still uncertain as to what the key concerns of this issue were, and they requested more information.

At the next Senate meeting (March 20, 2018), Dr. Reitsema gave a presentation and Dr. German provided Senators with more details about the chronology of UGA's response to concerns from the African American community, pointed out the example of the "Buried History" article in the *Chronicle of Higher Education* about UGA's poor handling of the Baldwin Hall remains, and suggested some ways UGA could move forward. Two other visitors to this meeting were Fred Smith and Linda Davis, both of whom expressed concerns about multiple aspects of the handling of the remains. Key concerns among faculty, and also among citizens of Athens, that had previously been unknown to some Senators were thus made clear. At the conclusion of the meeting, there was a call for volunteers to form an ad hoc committee to consider the matter further.

The presentations by Anthropology faculty members and the potential work of the ad hoc committee were the subject of immediate controversy. On March 21, the *Athens-Banner-Herald* published a reporter's account of the Senate meeting.⁷ One day later, the paper published a statement by Greg Trevor (Executive Director of Media Communications at UGA).⁸ The latter

⁷<https://www.onlineathens.com/news/20180321/faculty-group-presses-uga-on-its-slavery-history>

⁸<https://www.onlineathens.com/news/20180322/uga-article-misrepresents-universitys-actions-concerning-reinterment-of-remains>

targeted unnamed Franklin faculty members and Senators, claiming they were wrongly criticizing University officials. The statement also singled out Dr. Reitsema (at the time a non-tenured Assistant Professor) by name for criticizing the efforts of UGA. In multiple replies posted online to Mr. Trevor's article, there was strong condemnation of Mr. Trevor's comments. Faculty members expressing their views in these comments noted that it was unconscionable for a representative of the UGA communication apparatus to publicly rebuke a faculty member acting within the ethical demands of her discipline and within her rights as a member of the faculty.

This controversy, and the need for more clarification regarding the work of the ad hoc committee, were addressed at a Special Session of the Senate on April 3, 2018. Among the items discussed were the proper constitution of an ad hoc committee, since the original group of volunteers was too small and did not adequately represent all the divisions of Franklin College. After hearing remarks by several visitors and after thorough discussion by Senators, the Senate voted unanimously (27-to-0) to create a formal and properly constituted ad hoc Committee to address the Baldwin Hall issue. At this same meeting, the Senate approved a response to Mr. Trevor's letter, asserting the Senate's proper role in hearing faculty concerns.

At the conclusion of the April 17 Senate meeting, the charge for the new Baldwin Hall Ad Hoc Committee (see Appendix VII) was discussed and approved by a vote of 32-to-0 with 2 abstentions. However, because of the summer break and one additional procedural delay, it was not until the September 18, 2018 Senate meeting that the members of this committee were formally approved by the Senate and could thus begin their work. The same committee members have remained for the duration of the 2018-2019 academic year.

C. The charge of the ad hoc committee

The committee's initial charge comprised several tasks (see Appendix VII). The first was to consider the issues and data brought to the Franklin Senate in February and March of 2018 and to assess their relevance to the Senate's charge. The committee decided unanimously that all the matters presented were appropriate to the Senate; these matters spoke clearly to key faculty concerns and were well within the purview of many expert faculty in Franklin College. The second task was to gather and learn all concerns related to this matter that any Franklin faculty chose to communicate to the committee.

In early stages of work on this second task, the committee made no inquiries outside of Franklin faculty. By November of 2018, while still listening to Franklin faculty, the committee decided it would be best to begin planning the third task: determining how to gather the views of community members and administrators. At the same time, the committee realized that evaluating some faculty concerns required additional consultation elsewhere. At the November 13 Senate meeting, Senators voted unanimously to expand the scope of inquiry per the committee's request, and also to leave the deadline for completion of the report open-ended. From then on, the committee continued to gather Franklin faculty concerns while addressing its third task and also contacting a few additional persons—including scholars and administrators at other institutions and a few state employees—and making one open records request.

D. Guide to this report: scope, structure, purpose, and use

In all its major decisions, including methods for contacting persons outside Franklin College, the committee was guided by a simple priority: to evaluate the concerns of Franklin faculty and determine their merit when possible. This document first presents and evaluates faculty concerns in Section II and then offers recommendations for Senate consideration in Section III; a short conclusion follows in Section IV.

In the course of accomplishing its task, the committee found it necessary to construct a more comprehensive timeline of events to offer further data and context. This timeline, which offers a great deal of additional detail to establish various points more fully, is Appendix I.

In assembling the perspectives of experts, the committee has become aware that these perspectives are at odds with the narrative put forward by some University officials. The official narrative states that the University has treated the remains removed from behind Baldwin Hall, and the descendant community, in an exemplary and respectful way. This narrative is very consistent, and insists that UGA is without fault. The facts and perspectives presented in this report make clear why it is not possible to subscribe to the official narrative, but this is not the report's main purpose. Rather, it is to present the concerns of Franklin faculty in effective context so that they can best serve the University and the larger community.

Expert faculty concerns about this matter touch on a wide variety of issues, and thus have much to offer the University in constructing policies, setting priorities, and making decisions going forward. This case is clearly pivotal in the history of UGA—both the institution's internal history, and also its place in the national narrative and indeed on the world stage. In presenting faculty concerns and expertise regarding this case, the committee hopes that the Franklin Senate can assist the University's leaders in navigating difficult issues, so as to help UGA avoid exacerbating the damage already done to its reputation. As many expert voices have made clear, one key priority is to demonstrate national leadership in addressing the legacy of slavery and its ongoing relationship with the living descendants of those who were enslaved, many of whom are likely to be in Athens-Clarke County and the surrounding area. The relation of this priority to the graves at the Baldwin Hall site is explained most fully in Section II D.

II. Major Faculty Concerns

This section presents what many faculty at UGA have said, and continue to say, about the matter of the Baldwin Hall burial remains. Franklin faculty members here take their proper roles as experts and offer views on matters that are crucial to the University's scholarly, public and moral standing. The faculty whose perspectives are reported here have not compromised their work as experts because of personal or factional interest, and have demonstrated that they are responsible to their disciplines. Yet, as will be clear, experts in a range of fields see the evidence of this matter in similar ways, and their views converge strongly.

Faculty concerns can be briefly summed up as follows:

*Both the accidental discovery of the remains and some steps taken after this discovery indicate substantial problems in UGA construction protocols, though these protocols have since been markedly improved.

*The way the University community and the public were informed of key facts (especially concerning the ancestry of the remains and the reburial) and the way decisions were made regarding crucial matters (including the reburial itself) failed to meet proper standards for community consultation. This constitutes a serious wrong, and its difficult aftermath still exists and remains unresolved.

*A number of faculty members on campus have not consistently been treated as scholars with specific expertise to offer, and this indicates deep misunderstandings of the role of faculty in University policy making and decision making. This problem still exists and remains unresolved.

*Some University faculty, and particularly junior faculty, have been unduly criticized and intimidated in the course of their contracted work as teachers and scholars, hindering their work as experts and violating the principles of academic freedom. This administrative practice indicates substantial problems in administrative understanding of the proper role of faculty. These problems still exist and remain unresolved.

A. Lack of input from archaeologists during the planning of the Baldwin expansion

A plethora of information available through even casual searches of historical documents shows that the original boundaries of Old Athens Cemetery extended far beyond the current fenced site now called the Jackson Street Cemetery. Many UGA personnel were aware of this, but according to a UGA press release⁹ on December 11, 2015, “university planners believed that when Baldwin Hall was built, all remains on the site had been removed and transferred to Oconee Hill Cemetery.” It is now clear that this belief was incorrect, and it is most regrettable that UGA failed to exercise the due diligence that would certainly have revealed this.

According to what the committee has learned from experts, the unexpected discovery of graves at Baldwin Hall would have been avoided if trained archaeologists had been consulted as the building expansion project was in the planning stages. As State Archaeologist Bryan Tucker told the *Athens Banner-Herald* in an article¹⁰ published December 29, 2015: “Any time you have a historic cemetery, you almost always have graves outside the boundary.” Archaeologists are well-acquainted with this presumption and any would have urged that a survey of the area using ground-penetrating radar be completed before excavation; indeed, this technology was used subsequent to the initial discovery and successfully found evidence of other graves that remain at the site. Alternatively, removing the topsoil to a point where underlying subsoil is encountered can identify the tops of grave shafts, possessing differently colored and textured soils, without disturbing human remains. In this way pre-construction testing could have revealed many if not all of the human interments.

⁹<https://news.uga.edu/remains-found-baldwin-hall-site/>

¹⁰<https://www.onlineathens.com/mobile/2015-12-29/discoveries-human-remains-ugas-baldwin-hall-not-particularly-unusual>

The lack of an archaeological survey may be attributed to two factors: (1) the Office of University Architects did not have an archaeologist on staff or on contract, and (2) faculty experts in archaeology (with appointments in the Departments of Anthropology and Geology, and offices in Baldwin Hall) were not consulted on how to conduct such a survey. An additional factor was present at the state level. Various Georgia regulations for construction contain provisions intended to prevent or mitigate disturbance of historical and archaeological resources by state agency construction. While the Office of University Architects submitted its plans to state officials for a review of historic preservation issues, there was no request for archaeological review. The absence of the latter could be explained by UGA's not anticipating the possibility of uncovering archaeological deposits. Ideally, state officials performing this review would have realized that an archaeological review was necessary, but the state personnel who would have noticed this did not review the submission in detail. In the original historic preservation review, it is noted that what is now called the Jackson Street Cemetery is adjacent to the proposed project, but the review clearly declares this a non-issue and seems confident that construction will not disturb graves. This is particularly unfortunate given the large number of graves that did in fact exist.

Although this chain of actions and omissions was evidently unintentional, the committee must point out that precisely because the discoveries were accidental, they were subject to less stringent regulation than if they had been detected prior to the start of construction. Knowingly to disturb a grave, or to move and rebury it without the proper approval and permits, is a violation of state law. But in this particular case, because these discoveries were accidental, UGA was free to move them without acquiring permits. Notably, about six months after completing the initial exhumations and resuming construction on the Baldwin Hall expansion, University planners elected to add another, smaller project within the designated construction site--removal of some existing elements and addition of new elements, including a sidewalk--along the north side of the east end of the original building. These elements required the exhumation of nine additional graves, as explained in plans sent to OSA. With the approval of OSA, these additional exhumations were treated as part of the overall construction plan--thus also not requiring permits. These additional exhumations, folded into the category of accidental discovery, could have the unfortunate appearance of rewarding a University construction project (in terms of cost and efficiency) for the original accidental discovery while also making the treatment of these remains less subject to regulation. On the subject of UGA's freedom to act in various ways with the remains, see also the sections that follow.

In the committee's view, all these facts underscore a need for better priorities, and far better knowledge, in the planning stages of construction. But while the failure to anticipate archaeological concerns clearly led to some of the missteps regarding the handling of the skeletal remains, the committee notes that several procedures have already been adopted that should prevent similar problems in the future. At the state level, coordination between experts in historic preservation and in archaeology has reportedly been improved, and this should make it more likely for archaeologists to see the filings that they need to see. At UGA, a new historic preservation plan was announced¹¹ in 2018. Members of the committee have heard enthusiastic

¹¹<https://news.uga.edu/historic-preservation-plan-to-be-implemented-at-uga/>

accounts from multiple experts that the plan takes into account the appropriate archaeological resources and priorities. The committee has likewise heard that University planners now incorporate ground truthing measures even into such relatively small projects as the construction of new sidewalks.

Although the new procedures are positive steps, the committee believes that the University could regain a measure of public trust by acknowledging mistakes in planning the Baldwin expansion. Further, it would be best to explain publicly not only how the original accidental discovery came about, but also exactly how the University's planning and construction procedures are being transformed going forward.

One additional issue regarding construction and exhumation was the University's decision to resume and finish construction well before an archaeological survey of the entire area around Baldwin Hall was complete. Some potential consequences of this issue are discussed in section C below.

B. Secrecy and lack of community consultation between receipt and announcement of DNA results

As described above, there is one case where UGA did enlist and support faculty expertise, namely in recruiting Dr. Laurie Reitsema to take part in the analysis of the remains exhumed at the Baldwin Hall site. At that time, Dr. Reitsema was an Assistant Professor in the Anthropology Department and Director of the Bioarchaeology and Biochemistry Laboratory at UGA. She has extensive research experience with human skeletal remains and her lab successfully exhumed bone fragments for the bioarchaeological research and mitochondrial DNA analyses. It was through Dr. Reitsema's professional connections that Dr. Deborah Bolnick at the University of Texas agreed to conduct these analyses. Dr. Reitsema received the full mitochondrial DNA results after the end of the Fall 2016 semester.¹²

As previously noted, early press releases stated that the remains were of white, European ancestry. By mid-December, mitochondrial DNA analysis revealed that 25 of the 29 samples for which a conclusive or probable assessment could be made were from individuals with West African and African diasporic ancestry. Dr. Reitsema received these results on December 17, 2016, and on December 22, 2016 discussed them by phone with Gwynne Darden, Associate Vice President for Facilities Planning. During this call Dr. Reitsema stressed unequivocally that it was incumbent on UGA to initiate a process of consultation with local, probable descendant communities. This was not based on Dr. Reitsema's personal views, but reflects well-established ethical standards governing anthropological research.

Notably, Dr. Reitsema had already recommended pre-emptive outreach to potential stakeholder communities more than a year before the DNA analysis arrived. She had also followed up with similar advice at various points in 2016, making repeated recommendations for a "town hall forum." This kind of public consultation would have assessed several matters of community

¹² Partial information on the mitochondrial DNA results was transmitted from Dr. Bolnick's lab periodically during the Fall 2016 semester; Dr. Reitsema transmitted these results to Gwynne Darden as she received them.

interest: possible further DNA analysis to connect living persons to ancestors, possible further bioarchaeological analysis to reveal more about the lives of the deceased persons, and community wishes concerning reinterment. Evidence shows clearly that much of the controversy that began in March 2017 would have been avoided if administrators at UGA had followed Dr. Reitsema's advice. Instead, the information Dr. Reitsema communicated on December 22, 2016 was not released to the public or to the vast majority of the University community for the next ten weeks.

At this point it is crucial to define proper community consultation. Most fundamentally, it is public. Attentive members of a community hoping for proper consultation should never be left in any doubt that it is taking place; in her advice to University officials, Dr. Reitsema used the phrase "town hall meeting" to indicate the proper scope and spirit of such consultation. This kind of consultation is open to full community engagement. Diverse perspectives will exist within a community, making it essential for consultation to allow a variety of viewpoints to be expressed, thus providing an opportunity for consensus to emerge. In order to lay a foundation for such consensus (if it emerges), proper consultation attempts to recognize and listen to stakeholders--persons with a claim to attention, and to a share of input--without bias and without a prior sense of who ought to speak, or who, if anyone, ought to serve as community representative. Rightly done, this process may produce representatives recognized and approved by the stakeholding communities for whom they speak, but this should happen organically, not by prior approval of some speakers over others. Also, this process puts representatives of various stakeholding groups--in this case, University officials and representatives of the descendant community, most obviously the black citizens of Athens--into direct, equitable, and transformative contact with one another.

After a period of public silence, UGA announced the ancestry of the remains and its plans for their reburial simultaneously on March 1, 2017.¹³ Prior to the announcement, administrators at UGA may have "reached out" privately to a small number of African Americans in Athens concerning reburial. As should be clear from the description given above, such contacts are not meaningful community consultation according to the standards of anthropologists and others who have extensive disciplinary experience with such matters. These standards are well expressed in expert literature on the subject of community consultation in the context of cultural resource management. This literature reconfirms what scholars on campus have already told the committee: selective outreach of the kind UGA administrators undertook simply does not qualify as community consultation.¹⁴

Although the voice of one qualified expert ought to have been enough in this case, as it happens, at least one other expert also urged University officials to engage in community consultation. In June of 2017, in an email to Dr. David Lee, Dr. Deborah Bolnick indicated that UGA must begin community consultation well in advance of any plan for additional genetic testing among potential descendants. Dr. Bolnick explained that the consultation needed in this case would help

¹³<https://www.onlineathens.com/local-news/2017-03-01/university-georgia-reinter-remains-individuals-discovered-baldwin-hall>

¹⁴ See for instance King, *Cultural Resource Laws and Practice* (Altamira, 2013) pp. 165 ff. and Dorochoff, *Negotiation Basics for Cultural Resource Management* (Routledge, 2007).

lay the groundwork for IRB (human subject) approval, which would be needed in order to conduct genetic testing with potential descendants both ethically and effectively. In a conversation with some committee members, Dr. Bolnick made very clear that she told Dr. Lee consultation was imperative--quite literally, it was something that had to be done. She made clear that she repeated her advice to Dr. Lee multiple times after June of 2017.¹⁵

Likewise notable are some indicators that, earlier in the timeline, community consultation was recommended by the State Archaeologist's Office (OSA). The University's official narrative is that this office simply instructed UGA to reinter the remains in the nearest viable cemetery and to preserve spatial groupings. However, in discussion with the chair of this committee, Bryan Tucker, head of OSA, stated that OSA advised University officials to consult with potential descendant communities. There is no written record of this advice to University officials, a fact Dr. Tucker himself made clear in subsequent written communication. In this later communication, he also made clear that his recollection of all that was said to UGA officials could not be verified, and that he could not, upon further recollection, positively assert that OSA had given verbal advice about community consultation. The committee makes no final judgement on this discrepancy in accounts from OSA. At minimum, however, the committee takes Dr. Tucker's remarks as indicative of the kind of advice usually given in cases such as this. More discussion of the role of the State Archaeologist, and of University officials' frequent reference to this office as the source of decision making, is given in the next section. Full discussion of the possibility that OSA may have advised the University regarding community consultation is given in Appendix I D 6.

Despite Dr. Reitsema's professional expertise, her pivotal, early involvement in the exhumation, and the ethical standards of her discipline--which made it necessary to discover whether or not the descendant community would desire further bioarchaeological analysis before proceeding with further research--she was neither consulted nor informed of the decisions leading to the March 1 announcement. And despite her advice, together with the advice of Dr. Bolnick (and potentially of OSA as well), no public community consultation has yet taken place, even as genetic testing is progressing.

Late in the composition of this report, the committee received additional information indicating that, among at least some persons in upper administration, there was active opposition to public community involvement in this matter--particularly if it fell outside, and might challenge, the official narrative being conveyed by University officials. After the March 1 announcement and the controversies that followed, several UGA faculty members organized an open forum to discuss the history of the Jackson Street Cemetery; it was called "A Conversation about Slavery at UGA and the Baldwin Site Burials" and was to be held in the Russell Library on March 25 (see a differently focused discussion of this forum in section C below). As preparation for this

¹⁵ In conversation with committee members, Dr. David Lee did acknowledge that Dr. Bolnick had advised community consultation. He stated that he did not want to begin such consultation when DNA analysis was not sufficiently advanced to guarantee possible connections to descendants; in his own words, he did not "want to get the community excited ... until we know we actually have the samples with which to make comparisons." The committee has encountered no expert who would authorize this delayed approach; available expert views and literature all indicate that advance consultation regarding DNA analysis of this kind is imperative.

event unfolded, one of the organizers received a call from a member of the Special Collections staff, telling the professor that the event would not be able to use the auditorium in the Russell Library. When the professor asked why, the answer was that the decision came from on high; the professor was referred to Toby Graham, Associate Provost and University Librarian. The professor later conversed with Dr. Graham, who confirmed that the event was indeed being denied the use of the building. The professor noted that at the event, there would be reports on the history of UGA based on research that had been done at Special Collections in the Russell Library. The professor was then told that there were "concerns about the sort of forum it would be" and was given a firm refusal. The professor's impression was that this decision was the result of orders from above and that Dr. Graham did not agree with the orders but was nevertheless following them. The professor advised Dr. Graham frankly of the bad press that might result from any administrative decision that might appear to be concealing truths about this matter. Within a day, the decision was reversed and the event went forward. This event was so well attended that not only the auditorium but also the overflow room were filled to capacity. Most attendees were townspeople, students, and faculty. They listened to the presentations by the large panel, and those who spoke subsequently expressed their dismay at the university's handling of the human remains. The only people who defended the university were members of the administration. That administrators seemed to have been present not to listen to community concerns but to defend official decisions indicates a deep misunderstanding of the purpose of community consultation. Moreover, the attempt to keep this event from happening indicates an aversion to community consultation altogether on the part of whichever senior University officials attempted to stop the meeting from taking place.

Given all these data, and given the widely-accepted parameters for community consultation, it is clear that UGA did not make attempts to comply with established professional standards for the treatment of human remains. If such attempts had indeed been made, the public record of them would be clear to all.

C. Concerns regarding reburial practice

As discussed earlier, most Athenians, including many African American community leaders and UGA faculty in the Institute for African American Studies, learned about the DNA results from press reports in early March 2017. These reports also announced UGA's intention to rebury the remains in Oconee Hill Cemetery and to commemorate the reinterment with a ceremony on March 20. Immediately after this announcement, prominent local African Americans wrote letters and held a press conference to implore the University to consider their input and not to act so quickly on the reburial.¹⁶ As it turned out, the University acted even more quickly than expected. Although the public ceremony took place on the announced date of March 20, the

¹⁶see for instance

<https://www.onlineathens.com/local-news/2017-03-02/uga-should-reinter-baldwin-bodies-african-american-cemetery-black-leaders-say> ,
<https://www.onlineathens.com/local-news/2017-03-04/black-leaders-call-uga-further-discuss-future-uneearthed-remains-baldwin-hall> ,
<https://www.onlineathens.com/opinion/2017-03-07/smith-uga-acting-too-quickly-baldwin-hall-remains>

actual reburial had already occurred in secret on March 7, less than a week after the first public acknowledgement of the African ancestry of the remains.¹⁷

One obviously controversial aspect of the reburial was the choice of cemetery. Although some community members expressed support for reinterment at Oconee Hill Cemetery, many community members argued for burying the remains in either Brooklyn Cemetery or Gospel Pilgrim Cemetery, both of which were established by the African American community (details of the history of the three cemeteries are in Appendix I, Section A and Section D 5). The University has often defended its decision to reinter the remains at Oconee Hill Cemetery by citing guidance from the Office of the State Archaeologist (OSA). It is true that OSA endorsed Oconee Hill Cemetery on the basis of historical ties, geographic proximity, and the fact that it had sufficient space to allow the reburial of the remains in the appropriate manner (see Appendix IX for the March 6, 2017 letter from OSA). This letter does not address the possibility of reburial in Brooklyn Cemetery or Gospel Pilgrim Cemetery, and the committee does not know whether such a possibility was at any time considered by OSA. Administrators have explained to the committee that there was doubt as to whether Gospel Pilgrim Cemetery would have enough space to accommodate 105 sets of remains, but similar issues do not appear to have been raised regarding Brooklyn Cemetery.

The possibility of alternative burial sites is especially important in this case because of the issue of community consultation. In the aforementioned interview with the chair of this committee, the State Archaeologist stated clearly that as a general rule, discussion with descendant communities “can influence what’s appropriate” with respect to reburial location. At the same time--this is not widely known--it is a fact that in matters such as reburial, institutions governed by the USG Board of Regents do not have to follow OSA guidance at all. They must simply acknowledge that the advice was given, and may then choose a course of action. Asked whether UGA could have chosen another cemetery besides Oconee Hill for reburial, Dr. Tucker said clearly: “The answer is yes.” To be clear, the University was not obligated to follow any course laid out by OSA. Available evidence indicates that some advice (regarding reburial location) was followed; however, other advice that may have been given (regarding community consultation) was not. In other words, University officials, unconstrained by any threat of fine or of disapproval from OSA, chose a specific course of action, and did so against multiple sources of advice regarding community consultation (see the previous section). A fuller discussion of the role of OSA in this matter is given in Appendix I D 6.

The secrecy of the reburial has been an ongoing source of offense and pain, and the committee has met with community members who find the reburial difficult to discuss. Descriptions of the extensive public commentary about the circumstances of the reburial are in Appendix I D 5. Here, the committee notes one point for discussion, a remark made by University officials that the secret reburial was done in order to avoid a “spectacle.”¹⁸ Used in this context, the term could apply to any burial not done in secret. However, such wording implies that making this particular reburial visible, and available to the public, would produce a “spectacle.” The committee has

¹⁷<https://news.uga.edu/uga-reinter-remains-discovered-baldwin-hall-construction/>

¹⁸<https://www.onlineathens.com/local-news/2017-03-07/uga-going-ahead-reinterment-plans-remains-uncovered-construction-project>

tried to interpret the utterances of University officials with some charity. For this utterance, however, the committee has been unable to find a meaning that is not offensive to the dead and to their living descendants. There can be no “spectacle,” in a negative sense, in a living descendant community being present for the reburial of the remains of ancestors.

The committee notes further that while the reburial of 105 vessels containing human remains presents logistical challenges, there is ample evidence that such challenges are not insurmountable.¹⁹ The committee certainly makes no judgment on the exact way this particular reinterment might best have involved the public; again, this should have been decided through public community consultation. It is very clear, however, that there were attainable alternatives to the method used on March 7, 2017, which excluded even the possibility of public engagement.

Given all these data, it is evident that rather than engaging in meaningful discussions and reconsideration of the reburial plans, the response of UGA officials to the community outcry fell back on a strictly delimited set of talking points. To be clear, the committee does not believe that any University faculty members or officials were qualified to make decisions either about the best site for reinterment of the remains in question, or about the best method of reburial, without community consultation. It is imperative that sensitive issues such as this be dealt with properly, using the kind of open and public consultative process already described.

The committee must here mention an additional concern that has been clarified by discussion with OSA. At present, there are still a number of graves at the Baldwin Hall site. While the graves that were moved by the construction project have been reburied with mindfulness of their original spatial relationships, the boundary of the construction area itself was established with no consideration of the disposition of graves below ground (since the existence of such graves was unknown) and certainly with no cognizance of possible family groupings, typically indicated by tightly spaced clusters of graves. At the time of the discovery of the graves, University officials and administrators elected to proceed with construction of the Baldwin addition once the graves inside the construction zone had been exhumed--but did not, at that time, complete an archaeological survey of the rest of the ground behind Baldwin Hall. Therefore, it is possible, though not certain, that some members of a given family grouping at the edge of the construction and exhumation area may now reside in Oconee Hill while their kin remain just outside the construction area behind Baldwin Hall. In the maps of grave locations the committee has seen, there might be at least one potential separation visible at a site located near the north side of the eastern portion of Baldwin Hall. One or two other potential separations might have been narrowly avoided by accident thanks to the aforementioned additional construction that removed nine additional graves. There certainly could be other separations; a conversation with Bryan Tucker, head of OSA, made this clear. (Dr. Tucker likewise repeated that it is not the work of OSA either to approve or to question such actions; again, OSA advises USG institutions but does

¹⁹ For an example of how community consultation can work in a case very similar to that of the graves behind Baldwin Hall, see the currently unfolding events at Virginia Commonwealth University: https://news.vcu.edu/community/Recommendations_made_for_human_remains_uncovered_in_1990s_VCU From this same case at VCU, see also this detailed example of community consultation at work: http://emsw.vcu.edu/wp-content/uploads/sites/5206/2018/12/EMSW-FRC-Report_082118_accepted-changes-1.pdf

not evaluate their decisions.) The committee notes further that separation of family groupings need not be proven beyond doubt in order for this concern to be raised. On the contrary, as explained by Dr. Benjamin Ford of Rivanna Archaeological Services, routinely employed by the University of Virginia, given the arbitrary impact of the construction project in relationship to the pre-existing cemetery, it should be assumed that some family groups have been separated and that the burden of proof to demonstrate otherwise should be on those moving the graves through clear archaeological evidence. The University of Georgia is not legally obligated to provide any proof; such separation is not, in this case, a legal matter (another point made clear by Dr. Tucker). But unless proof is given, concern about potential family separation is reasonable.

All these painful and concerning aspects of the reburial are consequences of decisions made here at UGA. The committee finds--as many experts and community members have found already--that there is much in these decisions that fell short of best practice. Official claims that the graves at the Baldwin Hall site were treated with "utmost dignity and respect"²⁰ are not supported by the evidence.

D. Treatment of issues concerning research

Throughout 2016, the Office of the Vice President for Finance and Administration (OVPFA) took and supported Dr. Reitsema's recommendations to carry out basic bioarchaeological research that would document skeletal evidence for age, sex, health, diet, and other aspects of the lives of the individuals buried in the cemetery. In 2016, OVPFA also supported mitochondrial DNA analysis to learn the ancestry of individuals in the cemetery, and the future possibility of expanding the mitochondrial DNA analysis of skeletal individuals to the more comprehensive analysis of nuclear DNA. Dr. Reitsema has noted that more bioarchaeological research beyond a basic level could have been undertaken following community consultation, should descendant stakeholder communities have desired it. As the remains have been reburied, additional bioarchaeological information about individuals in the cemetery that descendants may have wished to know is no longer available. It should be noted the nuclear DNA analysis is still possible for most or all of the individuals for whom mitochondrial DNA was assessed, as DNA was extracted in 2016 with nuclear DNA analyses in mind.

In early 2017, the Office of the Vice President for Research (OVPR) took control of research matters related to the graves at the Baldwin Hall site. On March 20, the same day as the

²⁰ For examples of UGA's usage of this and similar expressions, see for instance <https://news.uga.edu/uga-reinter-remains-discovered-baldwin-hall-construction/>, <https://news.uga.edu/meaningful-reflection/>, <https://www.onlineathens.com/news/20180322/uga-article-misrepresents-universitys-actions-concerning-reinterment-of-remains>, <https://www.ajc.com/news/local-education/uga-will-rebury-african-american-remains-unearthed-during-construction/G3YJCTgdYOUfAsHr1v2OAP/>, <https://news.uga.edu/uga-plans-for-memorial-at-baldwin-hall/>, <https://flagpole.com/news/in-the-loop/uga-holds-memorial-for-remains-found-at-baldwin-hall>, http://epaper.ajc.com/popovers/dynamic_article_popover.aspx?appid=2870&artguid=e437715e-3ff0-4848-9c9c-03f5d2721f27, <https://web.archive.org/web/20170304182529/http://onlineathens.com/opinion/2017-03-04/cook-mccullick-uga-treating-human-remains-baldwin-hall-utmost-respect>.

reinterment ceremony at Oconee Hill Cemetery, a UGA press release announced a new research initiative from OVPR:²¹

The University of Georgia will sponsor additional research to learn more about the lives of the 105 individuals whose grave sites were discovered during the construction of the Baldwin Hall expansion....This additional inquiry will build upon the preliminary analyses to understand better how these 105 individuals lived as well as their connections to the Athens community, including any ties to slavery.

This research initiative was overseen by Dr. David Lee, Vice President for Research at UGA. Dr. Lee discussed general aspects of the goals of the research at a public forum on March 25, 2017 (see a differently focused discussion of this forum at the end of section B above). Two days later, all UGA research faculty received a solicitation for research ideas by email from Dr. Lee.²²

Response to Dr. Lee's announcement at the public forum was mixed. Many view the individuals buried at the Baldwin Hall site as people, not as opportunities for research. Furthermore, as possible descendants of the buried individuals, very few members of the local community had been consulted about the research. Fred Smith has spoken with great concern about the persons whose remains were exhumed being "artifactual," a succinct term for a host of problems that have beset the work of archaeologists, anthropologists, and other scholars in the past. Some faculty, including most of the Anthropology Department, reacted to Dr. Lee's email solicitation with similar concerns that, as recounted in Appendix I section D, were communicated to Dr. Lee shortly thereafter. The committee here notes that, as with the matter of reburial, there was an opportunity to engage in proper community consultation--strongly urged this time not by a single faculty expert at UGA, but by the bulk of an entire department--and that this opportunity was not taken.

Even as many faculty were distressed that the descendant community had not been sufficiently consulted about whether research was desired, or what direction it would take, other concerns emerged about the scope of the research that would be funded. Initial announcement of the research initiative, especially its references to "any ties to slavery," led many faculty to hope that this would be an opportunity to better understand and report the broad history and impacts of slavery at UGA. To the disappointment of these faculty and others, it quickly became apparent that this was not the case.

Decisions concerning funding in these matters were made by Dr. Lee. In addition to the second phase of DNA research--which had already been selected for continued support--one research proposal from UGA faculty (about twenty were submitted) received funding.²³ This proposal was from Dr. Marguerite Madden, director of the Center of Geospatial Research, who proposed that she and her colleagues create a digital interactive map narrating aspects of the period of time in which the individuals buried at the Baldwin Hall site lived and worked. Another substantive

²¹ <https://news.uga.edu/research-next-steps-baldwin-hall-site/>

²² This email appears in Appendix X. This solicitation was explicitly for research "ideas," and did not resemble a standard request for proposals of the kind typically sent out by OVPR.

²³<https://news.uga.edu/uga-announces-next-steps-for-research-about-baldwin-hall-site/>

proposal was from the Working Group for the Study of Slavery and its Legacies at the University of Georgia. This proposal was provided to the committee by Dr. Chana Kai Lee (Department of History and a co-author of the proposal). This committee's conclusion is that while some aspects of the proposal went beyond research per se, substantial portions of this proposal were strongly connected to the stated purpose of the initiative, and that it testifies to the relevant expertise of its authors. It was not funded by OVPB.

This committee has not been tasked with deciding which proposals the OVPB ought to have funded--and proper decisions remain linked to a need for community consultation--but the question of how slavery, as a subject, has been approached by University administrators is highly relevant to faculty concerns. The committee was given a reliable account of conversations that took place at the March 20 reburial ceremony between Dr. Lee and faculty members about possible research related to this matter. According to Dr. Valerie Babb, who witnessed these conversations, Dr. Lee directly expressed interest in research projects that were "not about slavery." Despite the wording of the March 20 call for research ideas, which does mention "ties to slavery," this remark indicates a disinclination to investigate such ties.

This point will be of importance for section F, but here the committee observes that this approach of seeking projects "not about slavery" significantly undervalues what faculty members from several departments in Franklin, and most especially from History and from the Institute for African American Studies, have to contribute to an understanding of the lives of the persons whose graves were moved. This undervaluing of such scholarly work was evident in remarks Dr. Lee made in the Senate meeting in February of 2018. Asked directly if faculty in African American Studies had contributed anything after the call for research proposals, Dr. Lee answered "No." When an audience member immediately challenged this statement, Dr. Lee retracted it, described some of what was in the proposal (discussed above) whose existence he omitted to mention moments before, and said this proposal was very ambitious but "not germane" to the matter at hand. The committee notes that, in recent discussions with committee members, Dr. Lee has spoken more positively of the proposal in question, describing it as one of the most substantive offerings faculty made after the March 20 call. However, basic concerns regarding how research about these graves has been circumscribed--as "not about slavery"--remain.

On this particular point, the committee notes that experts in the field of history would be prepared most sharply to disagree with Dr. Lee, and to assert that slavery as a topic is germane, indeed essential, in this case. To address the history of past generations is to ask how they lived and what shaped their existence. And their existence, like our own, was often decisively shaped by the institutions of their era. Thus, the history of the institution of slavery can illuminate the lives of those who lived and died in bondage. The topic of slavery also speaks directly to how and why these graves were unmarked, unprotected, and lost to the University's records. Further, among the effects of slavery as an institution was that it severed each generation from ancestors and from descendants. While many people today desire a connection to their forebears, connection to enslaved ancestors is understandably of particular importance to African American citizens--and being denied access to such connection can be a particular source of pain and

offense. These are just a few of the many issues related to slavery that historians could have helped to elucidate more fully for the University community.

Further, in discussions with the committee, UGA's historians have made clear that incidents like this one are important opportunities for universities and surrounding communities to come together. Communities thrive when their stories are told fully and truthfully, and this is especially the case at moments when the most painful parts of a community's history must be spoken and confronted. In the words of one statement from professors in History: "To understand the nature of UGA and its environs, we must inquire into its history, not just the DNA evidence of the bones unearthed during the Baldwin Hall expansion, but the much larger story of the university's position in promoting slavery as a cause, using the labor of slaves, and sustaining (or perhaps fighting) segregation after the end of slavery." It is certainly clear to the committee that to engage the study of these graves without addressing slavery is to diminish the moral import, the intellectual substance, and the communal meaning of research into both the graves themselves and their accidental discovery.

Other universities across the South and elsewhere have engaged for many years in inquiries related to their historical connections to slavery. The Universities Studying Slavery consortium,²⁴ headquartered at the University of Virginia, now has 52 members and includes large southern state universities such as Clemson and the Universities of Mississippi, North Carolina, and South Carolina. There is also substantial membership on the part of elite southern colleges with strong ties to Confederate history, including the Virginia Military Institute, Hampden-Sydney College, and Washington and Lee University. The range and depth of this membership show clearly that USS is not a political consortium, and that the active study of slavery's institutional history, far from being partisan, is simply a going concern among institutions of higher learning seeking to investigate their own past. Involvement with this consortium would provide UGA faculty and administrators with useful insights from other institutions grappling with similar issues. A number of faculty in the Department of History, the College of Environment and Design, the Department of Anthropology, and the Institute for African American Studies have expressed to UGA officials their interest in UGA's joining this consortium. The UGA administration has, to date, not been responsive to these faculty concerns.

The committee here stresses again that among the many negative aspects of the approach expressed in the phrase "not about slavery" is the message it sends, intentionally or otherwise, to faculty concerned with this issue--and again, especially to faculty in History and in African American Studies. For faculty in these areas, it is self-evident that, in the words of Dr. Barbara McCaskill, Professor of English, "how we respond to the Baldwin Hall remains and talk about slavery are not merely academic exercises but opportunities for substantive discussion and transformative change." Dr. Valerie Babb, formerly head of African American Studies and Professor of English at UGA, informed this committee that the University's handling of the graves at the Baldwin Hall site was a primary reason for her leaving the University to take a professorship in the English Department at Emory University. Discussing her view of the University's handling of the reburial and the research that was funded in relation to the graves,

²⁴<http://slavery.virginia.edu/universities-studying-slavery/>

Dr. Babb noted that it did not, in her view, bring key issues into focus: “*Why* we would even bother doing all this was just lost.” Discussing her specific motivation for departing UGA, Dr. Babb said, “I felt as if I were at a university that could not care less about the work that was important to me.” Dr. Babb is an eminently respected scholar of African American literature, and her departure is a damaging blow to UGA’s profile in African American Studies, to say nothing of what her loss represents to colleagues and students. Dr. McCaskill describes the loss thus: “We have lost an excellent scholar and leader to another school ... in part because of perceived rushed institutional moves to mute and control discussion rather than participate comprehensively in a prolonged moment to educate Georgia’s citizens about the legacy of slavery in this city, state, and nation.” On the subject of muted and controlled discussion, see the next two sections of this report.

While the committee notes the potential positive intentions expressed in devoting resources to the OVPR research initiative, expert views converge on the opinion that this initiative was ill-conceived and marked by missed opportunities. This initiative nevertheless would have benefitted from advice from faculty experts in diverse disciplines to formulate the research plan and to make funding decisions. Certainly there is ample faculty expertise in the appropriate disciplines at UGA, including (but not limited to) the departments of Anthropology, English, History, Sociology, and the Institute for African American Studies. Further, a recommendation from all faculty experts would have been that decisions on research relating to the Baldwin Hall remains should be a joint effort between UGA and the local African American community and that research should only be conducted if it is supported by presumed descendants. Scholars in the field of history, in particular, have noted that communities have their own histories, their own archives, and their own ways of communicating their past, and thus scholarly efforts in the area of public history must acknowledge, and learn from, these existing histories. Collaborative work, often led by community interests and priorities, is therefore even more essential.

The committee here adds that, in the view of many Franklin faculty experts across a range of fields, the graves at the Baldwin Hall site ultimately find their meaning in a complex network of factors that connects the era of slavery to the present day. As stated in a November 18, 2018, letter to the committee from five senior faculty members in four departments:

The research efforts so far undertaken by UGA— the DNA analysis of the remains, and the historical mapping project— are certainly welcome. However, to narrow our attention to such tractable technical questions is the easy way out, tailored to give answers that won’t disturb us. More relevant is what the issue reveals about the metaphorical DNA of our University, our town, and of the economic history that binds them together.

To these remarks the committee adds the following thought from Dr. McCaskill:

An ongoing and thorough search for the meanings of the rediscovered Baldwin remains, even if what we find is not always triumphant or soothing, or contradicts previous histories, is consistent with this institution’s mission and with what those of us who generously give our time, talents, and energies to this school teach the students to do.

The committee has examined these and other expert statements for partisan intent that would compromise the quality of scholarly work, and found none. These are common views. The widespread study of institutional histories of slavery (discussed above in the paragraph about USS) strongly indicates a widespread conviction that institutions with historical ties to slavery will understand themselves better if these ties are investigated and publicly made known. Different scholars may argue for different models of how such historical ties influence the present (indeed, the models suggested in the two passages above are different), and may have varying beliefs about how institutional histories can best serve the public now. But to state that the graves at the Baldwin Hall site simply are “not about slavery,” or to mention slavery only nominally, is to impede necessary investigation that can lead to further discussion and understanding.

E. Official responses to valid faculty criticism

As previously discussed, controversy related to the Baldwin Hall remains again arose following presentations by Anthropology faculty at Senate meetings in Spring 2018. As described in detail in Appendix I Section F, these presentations were prompted by concerns about progress (or lack thereof) on goals and commitments that the administration had articulated in 2017, and contained some criticism of earlier missteps by UGA.

On March 21, 2018, the *Athens Banner-Herald* published an article about the Senate meeting of the previous day. The article was written by a reporter who attended the Senate meeting and was entitled “Faculty group presses UGA on its slavery history.”²⁵ The following day, an op-ed by Greg Trevor, Executive Director of Media Communications at UGA, was published.²⁶ This article was entitled “UGA: Article misrepresents university's actions concerning reinterment of remains.” Both these pieces referenced the presentations given at the meetings and also drew from written documents given to the Senate, one of which contained a statement declaring administrative decision making in this matter unethical.

While the first report was a relatively accurate, first-hand account of the Senate meeting, the subsequent op-ed by Greg Trevor was written by a person who did not attend the Senate meeting, and relied heavily on the familiar talking points from earlier press releases: UGA did nothing wrong, UGA adhered strictly to the guidance of the State Archaeologist, and UGA consulted with local community members.

To the alarm of many faculty, Mr. Trevor then singled out Dr. Reitsema:

Ironically, Dr. Reitsema is now one of the faculty members apparently criticizing the efforts of the institution — efforts to which she was a major contributor. To the contrary, the extent of the University’s efforts demonstrate that its actions are in no way unilateral, irresponsible or unethical. It is a shame that some would now endeavor to mislead the campus and local community to believe otherwise.

²⁵<https://www.onlineathens.com/news/20180321/faculty-group-presses-uga-on-its-slavery-history>

²⁶<https://www.onlineathens.com/news/20180322/uga-article-misrepresents-universitys-actions-concerning-reinterment-of-remains>

Trevor's article received extensive criticism (see Appendix I Section F) that need not be expounded here. In an interview with the committee, Dr. Reitsema explained that Mr. Trevor had maintained frequent contact with her during her work on the remains in 2016, but that they interacted much less often after the arrival of the DNA results.

Dr. Reitsema's knowledge of, and direct involvement in, this issue would have provided more than enough justification for her to describe to the Senate how UGA's actions and inactions went against the ethical standards of her discipline. However, as a matter of factual record, the committee must observe that the written statements submitted to the Senate by Drs. German and Reitsema--which contained the statement that administrative decision making was unethical--were not, in fact, written by Dr. Reitsema. Regardless of its authorship, the committee judges this statement neither misleading nor shameful. To the contrary, it is reasonably stated, and correct.

The committee hopes that University officials have realized that using the press to target a faculty member working well within the realm of her expertise is inappropriate. However, the committee has not seen explicit acknowledgement of this, and concerns about this kind of targeting remain. Subsequent to Mr. Trevor's piece, and to a response from the Faculty Senate,²⁷ a letter from President Morehead²⁸ offered assurances of open exchange of opinions and viewpoints, citing the First Amendment, but did not specifically address the incident in question. To the committee's knowledge, there has been no other public response from UGA administrators to Mr. Trevor's article. President Morehead's response to the Senate's public statement was simply an affirmation of the principle of free speech. However, it did not address the central question of faculty expertise, which demands not merely exchange of ideas, but attention to evidence and to scholarly knowledge. As already noted, it was Dr. Reitsema who strongly urged University administrators in December 2015 (and repeatedly thereafter) to engage in meaningful consultation with the presumed descendants of those who were under or around Baldwin Hall, in a manner consistent with the ethical standards of her discipline. The better Dr. Reitsema's role in this issue is understood, the more alarming it is that her actions were condemned in an official statement from the University.

F. Intimidation and policing of faculty teaching

As the previous sections have made clear, the topic of slavery and related matters are not currently subjects the University seems interested in funding. While the disinclination to support such research is a matter of great concern, this committee has become aware of an even more serious matter involving interference with the teaching of a junior faculty member, Dr. Scott Nesbit, currently a dual hire in the College of Environment and Design and in the Department of History.

²⁷<https://www.onlineathens.com/news/20180405/ugas-franklin-college-senate-issues-clarifications-on-baldwin-hall-discussions-coverage>

²⁸See Appendix XII.

In the fall of 2015, Dr. Nesbit taught a course on the history of slavery with a focus on its presence in the University's own past. As a scholar with expertise in public history, this topic was one of the very subjects he had been hired to teach (a point made clear by Dr. Stephen Berry, who had been chair of the hiring committee). Dr. Nesbit was instructed by an administrator to keep in touch with the Provost's office about his teaching of this course, and Dr. Nesbit cooperated with this request and shared data discovered during the semester--for instance, a news article about violation and destruction of graves during the original construction of Baldwin Hall in 1938. Dr. Nesbit gave a talk about this course at the Athens Historical Society. An audience member asked him if it was advisable for the University to pay more attention to its history in relation to slavery; Dr. Nesbit answered in the affirmative, and this answer was reported in local news.²⁹ An administrator then informed Dr. Nesbit that the Provost was not pleased with his remark; Dr. Nesbit was also told that his remark constituted "activism." He was subsequently informed that the Provost was contemplating punitive measures against him, and that while unable to block his tenure, the Provost nevertheless was considering measures that would make it impossible for him ever to gain employment at other universities. The committee spoke with Dr. Nesbit on more than one occasion, sifting the details of his story carefully. There is no reason to believe this story is untrue or inaccurate.

The concerns raised by this incident, in which a junior faculty member was threatened for doing the teaching work he was hired to do, are hopefully manifest. Dr. Nesbit made clear that no argument was produced to prove what he did was political in nature, or was somehow inappropriate. This is a case of political action not on the part of Dr. Nesbit, but on the part of those who assigned political motives to him. Such politicization of the work of teaching by administration is inappropriate at any time. When accompanied by threats of punishment, it demands the attention of all faculty and administrators concerned with academic freedom and with the integrity of teaching and scholarship.

The committee notes that while this incident may seem less related to the graves at the Baldwin Hall site than other concerns discussed previously, it is tied to those concerns in important ways. Most obviously, there is once again an administrative impulse to keep the question of slavery from intersecting with the University's own history--in this case, to designate attention to such intersection as "activism." Dr. Nesbit has continued to teach his course, but has made a very conscious decision to "stay away from Baldwin Hall" in this teaching.

The relation of the graves at the Baldwin Hall site to slavery is not yet known in full; as noted already, it requires further investigation. One of the very scholars who might aid such inquiry has been subject to direct intimidation. The committee urges Franklin faculty to consider the full implications of this incident.

G. Institutional culture and its effects on academic freedom and integrity

In the view of faculty who communicated with the committee, the Baldwin Hall case is part of a broader set of concerns about how the University functions. On a national level, UGA is typical

²⁹<https://www.onlineathens.com/local-news/2016-10-19/uga-should-talk-about-slavery-s-role-here-researcher-says>

in having moved away from faculty governance and toward a model of the administrative university. However, the issues related to the graves at the Baldwin Hall site indicate the costs of this trend. While examining the Baldwin Hall case and all the events, decisions and conflicts that define it, the committee repeatedly found evidence of an institutional culture that supports administrative priorities and prerogatives at the expense of academic freedom and integrity. At many universities, rhetoric about academic freedom is commonly heard. The question is what substance lies behind the rhetoric.

Among the key pieces of evidence the committee encountered while investigating this matter: message discipline around a narrow, partial interpretation of events that hindered institutional ability to acknowledge missteps; lack of consultation with faculty who have nationally and internationally recognized expertise, and whose advice could have spared UGA public condemnation; hostility directed at those who raised questions about the University's official narrative; ubiquitous and unnecessary secrecy even with regard to positive steps; stories of attempts at intimidation; and anxious rumors of "calls from Atlanta."

This report has discussed how the University's actions have been characterized as "unilateral." The committee concurs; the University has indeed acted unilaterally, sharing decision-making power on key issues with no other stakeholders even though, as a great deal of evidence shows, best practice in matters of historic preservation often requires such sharing through open community consultation. Moreover, the committee finds it likely that the institutional tendencies described above are barriers to this kind of sharing, even--or perhaps especially--when it is most necessary.

Appendix I D 2 discusses the role of message discipline in University communications around the graves at the Baldwin Hall site. The committee makes no condemnation of message discipline as such; it can have positive functions. However, the extent to which UGA administrators sought to enforce message discipline in many elements of the Baldwin Hall case – in press releases, in public statements by administrators, and through the exclusion of those with local community standing or academic expertise who were asking challenging questions – all indicate that institutional conformity is connected to institutional hierarchy. The committee has clearly observed the two linked imperatives of staying on message and following a chain of command.

In a situation like this one, where the reality is strongly at odds with the preferred narrative, the institution only sounds (and indeed becomes) more evasive the more strictly message discipline is enforced. The short term gain of countering criticism through repetition of certain claims eventually undermines the integrity, credibility and reputations of those who believe they must repeat these claims. Moreover, because the rigid official narrative – that UGA is without fault – does not comport with reality, it leaves no room for institutional learning and growth. A university dedicated to the principle of academic integrity, and desirous of laying a foundation for increased prestige over the long term, must proceed differently.

One key expression of a pervasive institutional culture made visible in the Baldwin Hall case is the excessive degree of secrecy and consequent lack of transparency in the flow of information

and decision-making, and this continues up to the present. As one minor example, when Dr. Reitsema was awaiting results from the first stage of DNA testing, she was given to understand that UGA officials did not want the results to be communicated to them through email. The most striking example of this secrecy was the way the reburial of remains in Oconee Hill Cemetery was carried out. It was also evident in the way UGA initially failed to disclose information on the ancestry of the remains and in the selection process for research projects after the call for proposals by OVPR.

The committee must stress how often, in discussions with Franklin faculty, there were stories that those perceived to be critical of UGA in this matter were subject to intimidation. Some of these stories were mere hearsay while others were detailed and highly credible, but such stories are ubiquitous. While the committee was tasked with learning the concerns of faculty in particular, it is worth noting that some of these stories are about the intimidation of UGA students. If such intimidation has occurred, a proper reckoning with it has not yet begun.

Despite an atmosphere of plausible deniability because of the hearsay nature of some of the stories the committee has been aware of, the mere fact that faculty, administrators, and students alike express concern about such intimidation suggests they have real force in encouraging self-censorship, containing expressions of independent thought, and diminishing the authority both of faculty expertise and of legitimate community concern. For all these reasons, the committee invites Senators to encourage discussion of the problems mentioned here in all departments and programs in Franklin, and beyond.

III. Committee recommendations for Senate consideration

It would be a serious mistake to assume that controversies about the Baldwin Hall remains ended after the reburial of the remains in Oconee Hill Cemetery. UGA continues to exercise custody over research on the DNA of those whose remains were exhumed from Baldwin Hall, research which was not conducted with proper regard for the concerns and rights of presumed descendants. Bodies remain under the parking lot at Baldwin Hall and the question of what to do about those bodies is unresolved.

Public and private institutions of higher learning across the country are proactively acknowledging legacies of slavery, while UGA is conspicuously avoiding anything beyond minimal acknowledgment. History does not go away: it shapes the world of the living and becomes more insistent when it is ignored. UGA thus fails to acknowledge its past – present now in the Baldwin Hall remains – at the cost of its local, state, and national reputation.

Some faculty and community members appreciate the steps that UGA has made thus far to acknowledge the discovery of human remains through granite markers, plaques, and particularly the memorial that is now outside Baldwin Hall. However, even those steps have raised various concerns and controversies. The committee believes that controversies will only become worse if UGA continues to respond defensively to the missteps of the past and maintains secrecy going forward. The committee concludes it is imperative that UGA now demonstrate national

leadership that will go a long way to redeeming, and perhaps enhancing, its reputation. In service of this goal and in execution of its charge, the committee offers four recommendations for potential resolutions, and requests that the Senate discuss them as possibilities going forward.

A. Apology to presumed descendants

As the painful issue of the secret reburial alone should make clear, administrative decision making has left the University with much to redress, and an official apology to the descendant community is a sound way to begin. The apology from the University that the committee here recommends for Faculty Senate discussion should do more than offer general declarations of regret, and acknowledge ways that the descendant community has been wronged. The committee notes, however, that whatever form the apology takes, it must lead to change. Thus it should be seen as a preparatory step for the recommendation below.

B. Community consultation regarding additional graves at the Baldwin Hall site and genetic study

As earlier sections of this report have made clear, and as many in the University community and in Athens know, two current issues will require community consultation to be resolved adequately. The first is the existence of additional graves at the Baldwin Hall site. The exact number of these graves is not currently known, though it is possible this will be revealed in the full report from Southeastern Archeological Services, which will be a public record. The second issue is the analysis of the nuclear genome sequences that is currently progressing and that may make it possible to connect some of the persons whose graves were moved to living descendants.

The committee offers no opinion concerning if and how these two issues ought to be joined in community consultation, but it is obvious that decisions about the first--whether or not to reinter, and possibly to study, the additional graves, for example--could affect the second. It is also clear that a number of different options are available for the community to consider. For instance, if the remaining graves are left in their current location, they could be designated as part of what is now called Jackson Street Cemetery on the National Register of Historic Places. Alternately, they could be placed on the Register under a new designation. However, the committee offers no opinion concerning what should be decided about either the additional graves or the genetic testing. The right course of action for both can only be determined by robust community consultation.

It is clear from the number of voices critical of UGA in the Baldwin Hall case that UGA's efforts at community consultation were inadequate. Key administrators appear unaware or unconcerned that there are standards for responsible engagement with communities. This was clearly seen in OVPR's heedless solicitation of research ideas on the Baldwin Hall remains in March 2017 without community consultation beforehand. Descendant communities may not value research as the first priority, and their concerns should be paramount. While research can be an important element in the understanding of human remains, and may indeed inform pathways for consultation, only consultation can reveal this properly. A substantial body of law and professional standards specify best practice in this regard. UGA administrators and officials have

much to learn--both from experts and from descendant communities--before making decisions about human remains.

The committee notes the depth and breadth of expertise in these matters in Franklin College and other units, which can assist UGA administrators and officials in understanding both the need for community consultation, and the practices most likely to make it successful. It is precisely these expert voices that have convinced the committee that community consultation is essential in this case.

C. Call for apology to junior faculty member and condemnation of administrative maligning of faculty expertise

The public targeting of Dr. Reitsema is a wrong that requires specific attention. The kind of intimidation to which she has been subject is unjustifiable regardless of the quality of her teaching and scholarship. However, the committee notes that she is free from any suspicion of misconduct, is a respected scholar in her field, and has demonstrated ethical commitment and professionalism in all her work related to this issue.

The committee asks that the Faculty Senate consider demanding that this faculty member receive a public apology condemning her mistreatment. Platitudes about institutional commitment to academic freedom, expressed in President Morehead's 2018 letter to the Senate, are inadequate. A direct apology to Dr. Reitsema and an explicit condemnation of her mistreatment by senior administrators and officials is imperative.

D. Addressing the history and legacy of slavery at UGA

Treatment of the Baldwin Hall remains is iconic of the failures of UGA to address the institution's connection to the history of slavery, but UGA can do better than it has thus far. Given that the University is the flagship institution of higher education in Georgia, one of the most fitting responses to this legacy of slavery is to acknowledge it both through research on the lives and treatment of enslaved persons at UGA and in Athens, and through disseminating that knowledge through teaching in the classroom, in scholarly works, and through community presentations and outreach.

The committee therefore suggests that the Senate should urge UGA to develop a process to take stock of what other US universities are doing to acknowledge their legacies of slavery and to develop an action plan based on best practices identified. Such an effort should draw heavily on the expertise of UGA faculty whose scholarly work addresses various elements of slavery and should be undertaken in consultation with members of the local community. Examples of units that have such faculty expertise are the Institute of African American Studies, History, and Anthropology, and many of these faculty have established networks in the local African American community.

The committee makes no specific recommendations regarding funding. But as a starting point that will not require funds, it seems self-evident that UGA should join the Universities Studying

Slavery (USS) consortium. It is clear that the USS is useful not only to faculty members studying legacies of slavery, but also to administrators who must address the concerns of many constituencies, such as governors, state legislatures, boards of regents, alumni, and others. Members of the Ad Hoc Committee have spoken with the Director of this consortium, Dr. Kirt Von Daacke (University of Virginia) and have been assured that the USS network would welcome UGA's membership in this consortium. Requests to join USS must originate with the President or Provost of an institution.

IV. Conclusion

The discovery of human remains at the Old Athens Cemetery in 2015 presented the University of Georgia with an opportunity to demonstrate national leadership, and to exemplify how institutions of higher learning should marshal the forces of faculty expertise on campus, interact responsibly and publicly with the larger community, and come to a reckoning with painful historical legacies. The committee has learned that in the view of Franklin faculty experts, this opportunity has, for the most part, been wasted. Instead of elevating itself as a national exemplar, UGA has damaged its reputation in ways that were eminently preventable, a self-inflicted wound most clearly seen in the negative national publicity the University has received to date, and will likely continue to receive if a new direction is not taken.

It would have been easy for UGA to avoid this, particularly if faculty misgivings and concerns had been guiding influences. Instead, UGA stood behind a rigid narrative of half-truths that were not credible and that certainly will not withstand the judgement of history. At a time when many universities are undertaking the effort to acknowledge painful histories of slavery, UGA appears to be making only nominal efforts at such acknowledgment.

On UGA's campus, there are memorials to the lives of English bulldogs in mausoleums, buildings and colleges named after the proponents of "separate but equal," and monuments to the memory of proponents of slavery. On this same campus, as recently as 2015, it was possible not to take proper account of the history beneath UGA grounds before driving excavators over the bodies of those who had likely been enslaved--some perhaps in service to the university--and proceeding to tear up the ground where they were buried. While there has been some research on the remains of those who were forgotten to resurrect knowledge of who they were, the entreaties of their living descendants, when demanding a say in how the remains of their ancestors should today be treated, have not been properly heard. Expert faculty and others on campus who question these procedures are intimidated or censored.

The human remains exhumed at Baldwin Hall tell an important, indeed central, story about the history of the community and the University. Faculty in the Franklin College of Arts and Sciences care deeply how this story is told, not only for what it says about the treatment of those from past generations, but for what it says about how the living act on their knowledge of the past, and what witness they bear to future generations. As Dr. Barbara McCaskill, Professor of English, stated at the April 3, 2018, Faculty Senate special session, the Baldwin Hall issue is sometimes presented too narrowly as something of primary interest to only the

African-American community, when in fact it affects the entire University. She stated that the Baldwin Hall issue is an opportunity for “all of us” to address and study the legacy of slavery at universities; to take part in healing some of the nation’s deep political divisions; to recognize how many aspects of the present are affected by the legacy of slavery; to find ways to talk about present questions of race in national life; and to move the University forward. This is the spirit in which former UGA faculty member Dr. Valerie Babb stated: “But the past never cooperates by staying in the past. Eventually it always reaches out to us and asks, What have you learned?”³⁰ This committee concurs with these observations.

³⁰ “Conversation About Slavery at UGA and the Baldwin Site Burials” in the Richard Russell Special Collections Libraries on March 25, 2017. Cited in June 23, 2017, *Chronicle of Higher Education*. (http://www.franklin.uga.edu/sites/default/files/Buried_History_Chronicle_2017.pdf)

Appendix I: Details of the Background, Concerns, and Controversies Surrounding Baldwin Hall

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Appendix I-A. History of Old Athens Cemetery and Construction of Baldwin Hall

The history of the Old Athens Cemetery is, in part, a history of forgetting and subsequent neglect. Even those portions that are well maintained today, have had regular maintenance only in the last several decades. The intent of the committee is not to provide a comprehensive history of the Old Athens Cemetery, but rather: (1) to explain the racial disparities in burials at this cemetery as well as in other Athens cemeteries, and (2) to document how the boundaries of the known historical cemetery shrank over time to the point that only the currently fenced 2.5 acre portion of the cemetery, out of the original 6 acre cemetery, was commonly recognized to be a burial ground. This diminishment of the graveyard is part of a broader national politics of memory, particularly with regard to the fate of African American burial grounds.

Old Athens Cemetery (also known as the Jackson Street Cemetery) is on land that is thought to have been donated by UGA to the city of Athens. This is the oldest cemetery in Athens and contains graves that date back to the 1790s. The exact dates for the first burials there were not recorded and no extant datable headstones remain. It is only around 1810 that the first records of burials can be found. Many prominent (white) citizens were buried in the area that is now fenced and has conspicuous graves and memorials. Through the first half of the 19th century, Old Athens Cemetery became increasingly crowded until, in 1856, the Oconee Hill Cemetery was created. At that point Old Athens Cemetery was officially closed, though burials continued there until 1898.

After its official closing, Old Athens Cemetery has been subject to uneven cycles of neglect. At times the cemetery was overgrown with brush, then at the times when the brush was cleared, human bones surfaced due to erosion; portions of the cemetery were paved over, then later that pavement was removed, sometimes with little regard for burial sites. A large part of the explanation for the neglect is that Athens and UGA could not agree upon ownership of the cemetery, and thus neither entity committed the resources to maintain it. Reversal of this neglect began when the Old Athens Cemetery Foundation was created in 1979. According to an October 31, 1995, article in the *Red and Black*,³¹ the foundation was formed in reaction to plans by UGA to demolish the cemetery. Through the efforts of the foundation, the cemetery was reinvigorated by much-needed maintenance and was added to the National Register of Historic Places (NHRP) in October, 2009.

It is important to note that the 2009 NRHP registration form³² refers to only 2.5 acres of the cemetery that were visible at that time, not the original 6 acres on which known, but unmarked, burials had taken place. The original Old Athens Cemetery extended roughly South to North from today's Baldwin Street on the south side to Magazine St. (near the bus stop at the south end of the Visual Arts Bldg.) on the north, and west to east from Jackson St. to Thomas St./East Campus Rd. Some old accounts note burials in the portion of the railroad tracks that formerly passed through the current NO8 parking lot and across the wooden bridge. Over time, the University of Georgia increasingly encroached on the original six-acre plot.

Much of the earlier portion of the cemetery was covered by buildings and houses. The laying of railroad tracks, widening of Thomas Street, and the construction of the Visual Arts building and Baldwin Hall (1930s) also encroached on the original land of the Old Athens Cemetery, making parts of it visually unrecognizable as a burial ground.³³

Furthermore, it was well-known in Athens that UGA buildings were constructed over burial sites. In an August 17, 1886 article in the *Weekly Banner-Watchman*,³⁴ the reporter writes: "The houses on the campus are built on graves, and the gardens the professors work are fertilized by the ashes of a generation long since dead."

It appears that while prominent white families buried their dead in the section still recognized as a cemetery, African Americans, mostly slaves, were buried in less visible graves (e.g. lacking granite or marble headstones) at the south end of the cemetery (where Baldwin Hall now resides). According to page 4 of the registration document for the NRHP, sometime in the 1910s the east and west sides of cemetery were affected by public works: "city records indicate that some caskets located along South Thomas Street/East Campus Drive were 'pushed back into the hillside.'"

In the mid-1930s, New Deal funding allowed UGA to construct several new buildings, and it was at this time that Baldwin Hall was constructed – in 1937 and 1938, with the back part of the

³¹<https://gahistoricnewspapers.galileo.usg.edu/lccn/gua1179162/1995-10-31/ed-1/seq-2/>

³²available at <https://catalog.archives.gov/id/93207470>

³³<https://digilab.libs.uga.edu/cemetery/exhibits/show/baldwin/baldwinhistory>

³⁴<https://gahistoricnewspapers.galileo.usg.edu/lccn/sn88054101/1886-08-17/ed-1/seq-1/>

building added in 1942. Although further historical research may provide some answers, the committee does not know how the decision was made to build Baldwin Hall on its present location or whether UGA administrators were aware that the location had served as burial ground. What is clear is that when excavation for construction began in 1937, numerous graves were encountered, and they were recognized to be the graves of slaves. Official documents such as the NRHP registration form discount the presence of graves (“Local legend maintains that Baldwin’s construction disturbed a number of graves; historic documentation does not support this view”) but this is clearly contradicted by numerous reports.

According to one report, workers excavating for the construction of Baldwin Hall in 1937 found 120 “wooden boxes” of human remains, and these are said to have been reburied in two 95-foot trenches somewhere in or near a pauper’s cemetery of Nowhere Rd.³⁵ A 2017 article in the *Chronicle of Higher Education*³⁶ cites a 1938 letter “sent by a public relations firm to the university librarian, explaining the methods used to exhume skeletons of slaves for the Baldwin Hall construction,” and reading in part:

The white inmates at the northern end of the cemetery turned over in their graves when they heard picks and shovels digging foundations for a large brick university building in 1938. They rested more easily when it was revealed that the digging was being confined to the southern end where the colored folks of Athens used to be interred; numerous tibias, vertebrae and grinning skulls of colored brothers were unearthed and thrown ‘over the dump,’ while surviving relatives and friends of silent sleepers in this city of the dead shuddered to think of what an extension of building construction would mean.

According to a February 22, 1978, article in the *Red & Black*:³⁷

During the construction of Baldwin Hall, several unmarked graves of slaves were discovered. These bodies were moved under the direction of Dean Tate to the area where the Athens Waterworks are located, and marked with a large monument.

Consistent with the Red and Black article, a January 8, 2016, article³⁸ in the *Athens Banner-Herald* refers to the same incident and states that "the late Dean William Tate rode along with the procession to give it some dignity."

Despite the multiple reports, there does not seem to be documentary evidence of the direct involvement of Dean Tate in the burials. Nonetheless, there is an oral history in the Athens community regarding the 1938 construction of Baldwin Hill taking place on the slave part of the

³⁵<https://web.archive.org/web/20170504063446/https://www.onlineathens.com/local-news-uga-mobile/2016-01-08/bodies-being-removed-ugas-baldwin-hall-parking-lot-arent-first-be>

³⁶http://www.franklin.uga.edu/sites/default/files/Buried_History_Chronicle_2017.pdf

³⁷<https://gahistoricnewspapers.galileo.usg.edu/lccn/gua1179162/1978-02-22/ed-1/>

³⁸<https://web.archive.org/web/20170504063446/https://www.onlineathens.com/local-news-uga-mobile/2016-01-08/bodies-being-removed-ugas-baldwin-hall-parking-lot-arent-first-be>

Old Athens Cemetery. Mr. Smith seemed strongly convinced that there was/is some institutional memory of the graves at the Baldwin Hall site.

It is notable that in the oral history of Anthropology faculty, Baldwin Hall is said to have been built on an African American graveyard. One member of this committee recalls hearing decades ago that the remains of African Americans were discarded over the edge of the hill adjacent to East Campus Road, an account that mirrors documents cited here from the city record from the 1910s cited in the NRHP registration form. Archaeologists who have been part of the Anthropology Department since the 1970s were aware that Baldwin Hall had been built on the site of a graveyard, but believed that all the remains had been removed from the site during construction in 1938.

Appendix I-B. Discovery in 2015 of Human Remains at Baldwin Hall

In his November 16, 2018, speech³⁹ dedicating the newly constructed memorial at Baldwin Hall, President Morehead mentioned that the remains being memorialized had been found “adjacent to” Old Athens Cemetery. They were in fact found in what must be recognized as part of that cemetery.

The University knew in 2015 that Baldwin Hall was built on part of Old Athens Cemetery. Historical records describe removal of graves from the original Baldwin construction site in the 1930s (see Section A of this appendix). The first UGA press release concerning the remains⁴⁰ stated “...university planners believed that when Baldwin Hall was built, all remains on the site had been removed and transferred to Oconee Hill Cemetery.”

This belief was of course mistaken; the best information the committee has as to its source is an April 5, 2019, email from Associate Vice President for Facilities Planning Gwynne Darden to the committee. Darden explained that the original construction documents referred only to a small area of “Graves enclosed in iron fence,” which architects took as implying that graves were not present elsewhere. Moreover, it was known that ground-penetrating radar surveys had been performed at the currently enclosed area of Old Athens Cemetery, and the University had mistakenly believed that these surveys had extended into the Baldwin construction site.

At the time the graves were discovered in November 2015, UGA did not make any official announcements in order to try to ensure the security of the gravesites. However, the *Athens Banner-Herald* ran stories describing the discovery of the first skull and jawbone on November 19 and 20,⁴¹ and another story on December 11⁴² following a press release in *UGA Today*.

³⁹see the video at

https://www.redandblack.com/uganews/baldwin-hall-memorial-dedication-overshadowed-by-protesters-including-an-athens/article_6dd0496c-e9ec-11e8-8a05-2fadefe1b7f7.html

⁴⁰<https://news.uga.edu/remains-found-baldwin-hall-site/>

⁴¹<https://www.onlineathens.com/blotter/2015-11-19/possible-human-remains-found-uga-campus> and <https://www.onlineathens.com/article/20151120/NEWS/311209991>

⁴²<https://www.onlineathens.com/article/20151211/NEWS/312119985>

The December 11 press release and article constitute the first instance in which UGA remarks on the presumed European ancestry of the remains:

UGA officials are working with the State Archaeologist's Office to determine the most appropriate location for burial. Based on a visual inspection by the consultant hired to assist the university in this matter, Southeastern Archeological Services Inc., the remains are believed to be of people of European descent. UGA anthropology students are assisting in the exhumation process.

In subsequent coverage, UGA officials consistently describe themselves as surprised at the discovery of human remains adjacent to Baldwin Hall. The UK newspaper *The Guardian* picked up the Baldwin Hall story in an article published on December 14, 2015⁴³ which included an interview with UGA Architect Gwynne Darden.

It was a pretty unusual occurrence," Gwynne Darden, the University of Georgia's assistant vice president for facilities, told the Guardian. "I was surprised. It wasn't expected to inadvertently uncover human remains."

In her interview with *The Guardian* Darden repeats the statement that UGA planners had assumed, based on historical records, that any human remains had been removed from Baldwin Hall and that the remains discovered appeared to be European.

According to the consultant's visual inspection, Darden said, the human remains appeared to be of European descent and not Native American ancestry, which requires a far stricter process that's designed to protect Indian burial sites.

This article reveals that there was an awareness that the cemetery originally covered 6 acres (rather than the currently fenced 2.5 acres), and also shows how anxious UGA was to proceed with construction.

Darden, uncertain of how long reinterment of the remains will take, said university officials were "optimistic that this [process] doesn't have a really long timeline." A final destination for the graves must be determined. Once that happens, UGA officials will allow its contractor to resume the expansion and renovation of Baldwin Hall.

We're anxious to get back to work," Darden said. "We also want to follow all the protocols. We'll get back to work as soon as we're able to do so."

A press release from UGA on January 8, 2016⁴⁴ announced that DNA research on the remains discovered (at this point 52 gravesites) would be conducted by UGA anthropologists working with the contractor, Southeastern Archeological Services. This press release also notes that

⁴³<https://www.theguardian.com/us-news/2015/dec/14/bodies-baldwin-hall-university-of-georgia-27-graves-construction>

⁴⁴<https://news.uga.edu/baldwin-hall-construction-anthropology-department-support-0116/>

“University planners did not anticipate discovering remains on the site” and cites “oral histories and information provided by local historians” as the source that “all remains had been removed and reinterred when Baldwin Hall was originally constructed in 1938 and when the Baldwin Hall extension was built in the mid-1940s.” This press release also introduces a theme that would subsequently be repeated numerous times in future communications:

The University of Georgia is committed to reintering the remains in a respectful and dignified manner and will continue to consult with the State Archaeologist’s Office for guidance and input.

A story in the *Athens Banner-Herald* on this same day⁴⁵ refers to old maps that show a larger cemetery and reports the following.

Many families may have removed their loved ones’ remains to the new cemetery - though in some cases, they would have removed only the markers. But many more stayed behind, including people whose final resting places were marked with wooden markers or fieldstones, which decayed or were scattered over time.

The late Richard Fickett, a president of the Athens Historical society, once told *Athens Banner-Herald* reporter Conoly Hester that workers back in the 1930s removed 120 wooden boxes filled with bones from where Baldwin Hall now sits, then buried them in two 95-foot trenches in or near a pauper cemetery off Nowhere Road.

According to one version, the late Dean William Tate rode along with the procession to give it some dignity, said Charlotte Thomas Marshall, who wrote a book on Oconee Hill cemetery and its people and was editor of the recent book “The Tangible Past in Athens, Georgia.”

But the story is lore, not documented fact, Marshall said - even though some version of the story may likely be true.

“They wouldn’t want records kept on it,” said Athens author and historian Mary Bondurant Warren, who’s also heard the stories. But documentary evidence hasn’t surfaced, she agreed.

Workmen also reportedly found human bones when they prepared to build what is now East Campus Road/Thomas Street just west of Baldwin Hall and the old cemetery decades ago, as well as bones beneath what is now the bed of a stretch of railroad tracks that runs alongside East Campus Road, just a little bit farther west from the cemetery.

⁴⁵<https://web.archive.org/web/20170504063446/https://www.onlineathens.com/local-news-uga-mobile/2016-01-08/bodies-being-removed-ugas-baldwin-hall-parking-lot-arent-first-be>

This article also cites Janine Duncan, planning coordinator for UGA's Grounds Department, stating "One story is that African American slaves were buried in one part of the cemetery. That might have made moving the remains in 120 boxes more acceptable to a white public in the 1930s, but Warren and Duncan are skeptical that slaves were buried in the Athens Cemetery, however."

It is significant here that local historian Mr. Fred Smith, Co-chair of the Athens Area Black History Committee, made repeated efforts to communicate with UGA to inform them of his belief that these were the remains of enslaved African Americans.

Smith had been saying for more than a year that he believed the remains were black, citing a 1978 newspaper article quoting former Dean of Students William Tate as saying black remains were discovered when Baldwin was built, and they were moved to a gravesite near the water treatment plant on Barber Street. Since the last official burials at Old Athens Cemetery were in 1856, Smith also believes they were slaves.⁴⁶

When the University said in December 2015 that the remains were of European decent, Smith knew it couldn't be accurate. It was a slave site, he thought. He emailed University officials and started pressuring for a proper reburial.⁴⁷

In the ensuing months, there was largely silence around what was happening with the Baldwin Hall burials, and the exhumation/excavation process continued as Dr. Reitsema oversaw the collection of bioarchaeological evidence and samples for DNA analysis from the remains and their associated gravesites. It was not until their ancestry was announced by UGA through the *Athens Banner-Herald*⁴⁸ on March 1, 2017 that controversy around the Baldwin Hall remains once again erupted in the media.

It is at this point, throughout March 2017 in a series of *UGA Today* press releases, closely followed by publication of stories in the *Athens Banner-Herald*, that UGA's messaging discipline about the Baldwin Hall remains becomes apparent with a series of linked elements:

- UGA did not anticipate that human remains would be found adjacent to Baldwin Hall
- Once discovered, it was assumed the remains were of European descent
- The remains would be treated "with the utmost dignity and respect"
- The remains would be reinterred in Oconee Hill Cemetery with a "stately granite marker"
- UGA strictly followed the guidance of the Office of the State Archaeologist (OSA)

⁴⁶<https://flagpole.com/news/in-the-loop/black-leaders-criticize-uga-over-slave-graves-at-baldwin-hall>

⁴⁷<https://www.ajc.com/news/state--regional/after-missteps-and-criticism-uga-honor-memory-slaves-campus/dja1Kp61WYTrzr7BNsRkl/>

⁴⁸<https://www.onlineathens.com/local-news/2017-03-01/university-georgia-reinter-remains-individuals-discovered-baldwin-hall>

UGA's emphasis that it did not anticipate encountering human remains is exemplified in a March 4, 2017 letter⁴⁹ published in the *Athens Banner-Herald* from Dr. Michelle Cook, Associate Provost for Institutional Diversity and Alison Bracewell McCullick, Director of Community Relations.

University planners did not anticipate discovering remains on the site, as oral histories and information provided by local historians indicated that all remains had been removed and reinterred when Baldwin Hall was originally constructed and then expanded by the federal Public Works Administration in the late 1930s and early 1940s.

The key question at hand here is whether UGA should have anticipated human remains being discovered during the Baldwin Hall expansion excavation process, and whether they practiced due diligence in preparing for the expansion by consulting relevant historical maps and documents instead of going ahead with construction on the assumption that all human remains had been removed during previous construction decades ago.

State-funded construction does not usually unearth graves by accident. Archaeological or other related research is typically required in the planning stages of new construction projects by state institutions. Typically, questions of historic preservation are addressed in the planning stages whenever there is new construction accomplished with state funds. According to Franklin faculty experts, University System of Georgia (USG) institutions are unusual because they have greater leeway in deciding how much archaeological or other research to undertake, or not to undertake, before starting new construction with state funds. When an accidental disturbance of graves like this occurs in the case of a USG institution, the Office of the State Archaeologist (OSA) has an educational and advisory role but has less supervisory authority than it would have in the case of a non-USG institution. OSA can make recommendations, but USG institutions are not obligated to follow them. In the case of the Baldwin Hall expansion, the choice was made to not do an archaeological survey before starting construction. Thus, the disturbance and discovery of the graves at the start of the Baldwin Hall expansion yielded the sense of surprise that is documented in this report.

Ordinarily, construction done by a state institution that uses state funds is obligated to promote public engagement. If, for example, the Georgia Department of Transportation plans a new road, and preliminary surveys reveal graves that would be disturbed by it, there would normally be a public invitation for any stakeholders—persons concerned with the fate of the graves—to come forward and have their concerns heard. If stakeholders were to come forward, a mediation process might begin to discuss mitigation. In the context of archaeology and historic preservation, mitigation simply means finding ways to address stakeholders' concerns. Mitigation does not necessarily mean leaving the graves undisturbed, but it usually does mean taking community concerns into account and attempting to address them. There are three interlinked factors that led to the accidental discovery of human remains when construction began on Baldwin Hall in 2015. First, the Office of University Architects (OUA) does not have an archaeologist on staff. There are experts in historic preservation, but they

⁴⁹<https://web.archive.org/web/20170304182529/http://onlineathens.com/opinion/2017-03-04/cook-mccullick-uga-treating-human-remains-baldwin-hall-utmost-respect>

specialize in “built heritage,” the preservation of above-ground structures. This expertise differs significantly from that of an archaeologist. Second, the University was not in the habit of calling upon archaeological expertise, either archaeologists who are faculty at UGA (ironically, occupying the very building in which this whole case transpired) or local cultural resource management companies before beginning new construction. Third, the University did not have a historic preservation plan to guide construction procedures in a way that would have avoided the preventable disturbance of the 105 gravesites in this case.

Prior to the start of construction, the Director of Historical Preservation at the Office of University Architects submitted the Baldwin Hall expansion for review by the Office of the State Archaeologist (hereafter OSA) under the State Agency Historic Property Stewardship Program. However, OUA did not recognize that there might be archeological concerns and apparently assumed that there was little likelihood of encountering human remains or other archaeological materials. Consequently, they submitted the Baldwin expansion for a historic preservation review, but not for an archaeological review. Thus, OSA did not undertake an archaeological review, and those who would have been most able to anticipate the possibility of graves so near to a historic cemetery (very common, according to OSA personnel), never saw the review. The project was thus approved without consideration of archaeological matters.

The committee here notes that expert faculty who were on hand to observe the excavation of the graves (once they had been discovered), and all the stages of the archaeological survey that followed, were satisfied that this work was done thoroughly and well by Southeastern Archeological Services. Also, these experts had praise for those employed in the Office of University Architects (hereafter OUA), who are not to blame for the fact that no archaeologist is on staff in their office, and who have participated in the formation of a more comprehensive historic preservation plan for the University.

Nevertheless, faculty with relevant expertise were deeply disturbed by the scenario unfolding quite literally outside the windows of their offices. Several highly qualified archaeologists, biological anthropologists and cultural anthropologists, with extensive and prestigious professional careers, reside in the Department of Anthropology in Baldwin Hall and witnessed this entire chain of events at close range. This committee is in full sympathy with the frustrations they have expressed, which are entirely appropriate for experts who offered their expertise and could have helped UGA avoid national embarrassment had they been called upon to assist their university.

The OUA has been much better staffed in the area of “built heritage” than in the domain of archaeology, and thus better informed about what is above ground than below. However, the State Archaeologist has affirmed that the OUA has done what he considers to be a wonderful job helping to generate the new historic preservation plan⁵⁰ for UGA which, in his view, takes archaeological resources and priorities into account properly. He further noted that new construction at UGA is now being planned with greater care regarding archaeological matters. Indeed, Associate Vice President for Facilities Planning Gwynne Darden has informed the

⁵⁰<https://news.uga.edu/historic-preservation-plan-to-be-implemented-at-uga/>

committee that UGA's standard operating procedures now require consultation with an independent archaeologist concerning every proposed area of construction-related ground disturbance. This is a welcome development that will help avoid future mistakes such as those that were made at Baldwin Hall.⁵¹

Appendix I-C. Initial Excavation, Exhumation, and DNA Analysis of Human Remains

Immediately upon discovery of human remains on November 17, 2015, the site supervisor asked archaeologists in the Department of Anthropology to come downstairs and look at what they had found. It so happened that Dr. Victor Thompson, Director of the UGA Laboratory of Archaeology, was in his office, and he inspected the remains and confirmed that they were human. Though the remains (a skull and jawbone) appeared to be very old, the University Architects were obligated to contact the police to ensure that this was not the remains of a crime scene. Upon being notified by the police that these remains were old, OUA contacted OSA to initiate consultations about how to proceed, and by all accounts they worked closely with OSA throughout the next year as excavation, exhumation and reburial proceeded. At this time, it was not clear whether this was an isolated set of human remains or if there were more to be discovered. Over the next several weeks, an increasing number of human remains were found. During this early period UGA did not publicize the discovery of human remains at Baldwin Hall out of a concern for the security of the site.

At the suggestion of Anthropology Department Head Dr. Ervan Garrison, OUA contacted a well-known local cultural resource management company with extensive experience working for state agencies and local companies: Southeastern Archeological Services (hereafter SAS).

Working closely with SAS and in consultation with OSA, OUA developed a plan to determine the number and extent of possible gravesites on the north side of Baldwin Hall, and to initiate excavation and exhumation of any human remains found. This was the area most directly affected by construction for the Baldwin Hall extension. A decision was made not to extend the area of excavation around other parts of Baldwin Hall where human remains might also be found.

It was also at this point, early in the excavation process, that Dr. Laurie Reitsema, a UGA bioarchaeologist with extensive international research experience whose work focuses on interpreting skeletal evidence of diet, disease, and activity patterns in the past, became involved in research related to the remains discovered at Baldwin Hall. The process of exhuming and analyzing human remains requires meticulous care to ensure the careful treatment of remains and associated gravesites, and this entails painstaking and labor-intensive work. The purpose of this work is, among other things, to bring appropriate archaeological and historical context to human skeletal remains in order to reconstruct aspects of their lives. Dr. Reitsema advocated for this research out of a belief in its power to illuminate the lives of those buried in Old Athens

⁵¹This committee was also informed by OSA personnel that because of the Baldwin Hall case, those in OSA who handle historic preservation matters now have expanded awareness, so that they can better detect insufficiencies of scope in review requests like the one UGA submitted and then get such requests into the hands of the most qualified experts.

Cemetery, particularly because this part of the cemetery was more neglected, containing Athenians who were likely historically underserved.

One key question was the ancestry of these remains. As noted, the early assumption of OUA, based on only cursory examination attributed to SAS, was that these were the remains of white Europeans. Local historian Fred Smith, in several communications with UGA officials, insisted that the remains were those of African American slaves, based on his recollection of oral history and of the 1978 interview with Dean William Tate published in the *Red & Black*. From Dr. Reitsema's professional perspective, it was obvious that the process of consultation with possible descendants could not proceed until the ancestry of the remains was determined through DNA evidence, and the committee concurs that this was appropriate according to the ethical standards governing the conduct of research on human remains in the discipline of Anthropology.

Dr. Reitsema's research was announced and described in a *UGA Today* press release on January 8, 2016.⁵²

The University of Georgia is enlisting the assistance of its anthropology department to curate and study the remains that have been recovered from the Baldwin Hall expansion construction site over the last few months.

Work to locate and exhume remains from gravesites at the site has been underway since the first remains were inadvertently discovered on Nov. 17, 2015⁵³ ... University planners did not anticipate discovering remains on the site, as oral histories and information provided by local historians indicated that all remains had been removed and reinterred when Baldwin Hall was originally constructed in 1938 and when the Baldwin Hall extension was built in the mid-1940s.

Construction at the site has been temporarily suspended until removal of the remains is completed. This meticulous process, which was slowed by persistent, heavy rain in December, will continue over the course of the next few weeks. Work at the construction site will resume under the administration of the Office of University Architects for Facilities Planning once the exhumation is complete.

As of Jan. 8, remains from 52 grave sites have been exhumed, with another 12 probable sites identified. It is anticipated that the full number within the construction zone will be known by the end of next week. The remains are initially being taken to Southern Archaeological Services, UGA's contractor for the exhumation work.

The anthropology department's academic project will consist of two phases.

⁵²<https://news.uga.edu/baldwin-hall-construction-anthropology-department-support-0116/>

⁵³ It is notable that this press release makes note of the fact that "UGA has been working to preserve and stabilize" Old Athens Cemetery since 2007. Until approximately that time, the recognized part of the cemetery that was covered by the National Register of Historical Places registration document was unfenced and not well maintained, with numerous grave markers fallen or in disrepair due in part to frequent foot traffic through the site.

In the first phase of the project that will be conducted this spring semester, faculty, graduate and undergraduate students will conduct basic osteological research that will include DNA analysis to help identify age, sex and ancestral affiliation of these individuals. This work will not result in a determination of the specific identity of individual remains. In addition to the DNA analysis, the remains will be examined non-destructively using digital radiographic imaging.

During the second phase of the project in the summer and fall semesters, the research will shift to the living conditions of the individuals: for example, health, activity patterns and diet. Undergraduate students will participate in the project through the Center for Undergraduate Research Opportunities, as will students in a human osteology course and medical anthropology class.

It is estimated that it will be late this year or early 2017 before the research will be completed and the remains reinterred. The University of Georgia is committed to reintering the remains in a respectful and dignified manner and will continue to consult with the State Archaeologist's Office for guidance and input.

A press release in the *Franklin Chronicles* three days later, on January 11, 2016,⁵⁴ which repeats much of the text from the *UGA Today* press release, ends with the following commentary:

Though it is a controversial discovery and opens amny (sic) questions - from historical to modern uses of campus - this collaboration is as it should [be]. It is a tremendous positive for our students in social sciences to engage with this opportunity that is quite literally right in their backyard. This is precisely the way such a development should be handled. We look forward to more informed reporting on who and what has been disturbed in the course of the construction, as this research continues to help us understand just who we are.

Dr. Reitsema's initial research in 2016 focused on bioarchaeological analysis to reveal the health, nutrition, and lifestyles of the persons whose remains had been discovered. Additionally, she collected samples for the extraction and analysis of mitochondrial DNA from the remains excavated at Baldwin Hall, which provided information about the maternal ancestry of those remains. The rocky red clay soil surrounding the Baldwin Hall burials is highly acidic and most of the skeletal remains discovered were highly decomposed. Of the 105 gravesites eventually excavated through 2016, 64 yielded skeletal material. Ancestry could only be determined for 29 (not 30 as is widely reported and engraved on the granite marker in Oconee Hill Cemetery).

As far as the public is concerned, 2016 and early 2017 were largely silent with regard to information concerning the Baldwin Hall burials. Because of their direct or indirect involvement in certain aspects of the analysis of human remains, and because the excavation was occurring right outside their office windows, faculty in the Department of Anthropology were more aware of developments in the progress of excavation, but no actual research results were being

⁵⁴<http://franklin.uga.edu/news/stories/2016/baldwin-hall-expansion-becomes-anthropology-project>

disseminated, especially with respect to ancestry. But the absence of press releases from UGA indicates there was not much that the University felt needed to be communicated to the public.

As noted, OUA contacted OSA and subsequently contracted with SAS to excavate the gravesites and exhume the human remains found. As the contracting party, UGA legally controls the release of the report from SAS, and SAS is legally obligated not to disclose any information to the public unless and until UGA grants permission. Because neither the full report nor any earlier documents from OSA have been published, there is a great deal not publicly known about the excavation of human remains at Baldwin Hall. Conventionally, such reports contain detailed information on the history of the site and what is known of it through archival research, a timeline of excavation, descriptions of the site and what excavation yielded in terms of artifacts or remains, detailed site maps of the excavation, data tables, and a full reporting of results.

In a *UGA Today* press release on May 25, 2017⁵⁵ (at which point UGA had already agreed to support a second phase of research on the Baldwin Hall site), it is reported that SAS

will be conducting archival research and mapping services using ground-penetrating radar to identify, to the extent possible via this technology, the boundaries of the Old Athens Cemetery. Southeastern's mapping data will be included in the final report on the Baldwin Hall site that is required for submittal by the Office of University Architects to the State Archaeologist's Office

This subsequent work involving the use of ground-penetrating radar is significant because it is able to reveal the existence of likely additional gravesites and/or human remains in the area surrounding Baldwin Hall, a point to which this account will return.

In a March 1, 2018 letter⁵⁶ from Vice President for Research Dr. David Lee to Franklin College Faculty Senate President Dr. Mary Bedell, which Dr. Lee requested be shared with other members of the Faculty Senate, he states:

In regard to Mr. Gresham, I am told by University Architect Gwynne Darden that he expects it will take several more months to complete his work. When done, the Management Report will be submitted by the Office of University Architects to the State Archaeologist's Office and will, of course, be a public record.

In a recent email to the committee, Darden indicated that SAS is now in the final stages of editing the full draft report with the expectation of submitting it in May, after which it may be revised based on comments from OSA.

⁵⁵<https://news.uga.edu/uga-announces-next-steps-for-research-about-baldwin-hall-site/>

⁵⁶http://www.franklin.uga.edu/sites/default/files/Lee_David_030118_Baldwin_site_letter.pdf

Appendix I-D. Chain of Events Leading to the Reburial of Human Remains in Oconee Hill Cemetery

1. Delay in Reporting DNA Results

Because UGA does not possess the expertise or equipment to analyze degraded DNA recovered from badly decomposed skeletal remains, Dr. Reitsema advised OVPFA, which was supporting this initial phase of DNA research, that the lab doing the most state-of-the-art DNA sequencing for such materials was at the University of Texas, Austin.

Small skeletal fragments collected by Dr. Reitsema and her students were sent to the Bolnick Lab in the Department of Anthropology at UT Austin in four separate batches, on March 2, April 2, May 3, and June 28, 2016. These samples came from a total of 42 graves which were exhumed early in the excavation process; other remains were not well-preserved enough for DNA analysis.

On December 17, 2016, Dr. Reitsema received an email from the Bolnick Lab containing a detailed Excel spreadsheet informing her of the full results. Upon receiving the results, she contacted OUA and spoke to Gwynne Darden, Associate Vice President for Facilities Planning and University Architect, who was supervising the Baldwin Hall expansion, along with other staff at OUA.

Testing of the 42 mitochondrial (maternal) DNA samples yielded conclusive results for 25 individuals and probable results for four. Individuals for whom conclusive results were obtained comprised 23 of recent African maternal ancestry, one of potential Japanese maternal ancestry, and one of East or Central Asian maternal ancestry. Given the time period these burials occurred – Old Athens Cemetery was officially closed in 1856, though some burials continued to occur until 1898 – it is certain that most of these remains were those of African Americans who were, or had been, enslaved.

Dr. Reitsema has made clear that when she reported the results to OUA during this phone call, she stressed in no uncertain terms that they should now initiate a process of consultation with descendant communities. The committee does not know all the precise terms Dr. Reitsema used in conveying this imperative, but it is certain that this information was conveyed. As discussed in the report, the committee is aware that Dr. Deborah Bolnick later conveyed similar advice, and some advice on consultation may also have been issued by OSA. It is clear such advice was not followed. There is no evidence that UGA made any effort to communicate the results of the DNA analysis to presumed descendants in the African American community or the public at large for nearly three months, until March 1, 2017, less than a week before UGA reburied the remains secretly in Oconee Hill Cemetery on March 7.

According to the ethical standards governing such biological research in Anthropology, UGA had an obligation to initiate a consultation process with stakeholders from presumed descendant communities, which in this case includes African Americans in Athens who may be able to trace

descent from those whose remains were exhumed. The committee does not know how or why the decision was made to maintain institutional silence about the African origin of these remains.

2. Reinterment of Human Remains at Oconee Hill Cemetery

Though the *Athens Banner-Herald* published its story on March 1, following a format that showed it to be derived from a *UGA Today* press release, it was not until March 8 – one day after the secret reburial of remains in Oconee Hill Cemetery – that a press release appeared in *UGA Today*. The only difference between the first sentence in the March 1 *Athens Banner-Herald* article and the March 8 *UGA Today* press release is the shift from future tense to past tense regarding reinterment.

Following the guidance of the State Archaeologist’s Office, this spring the University of Georgia will reinter the remains of individuals discovered during the construction of the Baldwin Hall expansion.⁵⁷

Following the guidance of the State Archaeologist’s Office, the University of Georgia has reinterred the remains of individuals discovered during the construction of the Baldwin Hall expansion.⁵⁸

Much of the ensuing public controversy arose from the fact that it was clear from the point at which UGA announced the remains’ origin that officials had made a decision that the remains would be reinterred without substantive effort to consult with possible or presumed descendants. The title of both the *Athens Banner-Herald* and *UGA Today* articles is “University of Georgia to reinter remains of individuals discovered in Baldwin Hall construction,”⁵⁹ indicating UGA’s predetermined intention to take a particular course of action.

Following the March 1, 2017 announcement of the African ancestry of the Baldwin Hall remains, public controversy immediately erupted, and there was a significant increase of media coverage. Over the next several days and weeks, after more than a year of almost no media attention to the Baldwin Hall issue, *UGA Today* press releases proliferated, as did stories in *Athens Banner-Herald* and other local media. There are two notable elements of this eruption in coverage.

First, in *UGA Today* and other texts emanating from UGA, the University’s message discipline emerges clearly. Whether coming from the Division of Marketing and Communications, the Associate Provost for Institutional Diversity or from other sources at UGA, the same rhetorical elements reappear with marked consistency: that the remains exhumed at Baldwin Hall were “meticulously catalogued” and “treated with the utmost dignity and respect,” that human remains would be reinterred “individually, in a location close to the original burial site, and arranged as closely as possible to the original burial configuration so as to not inadvertently separate

⁵⁷<https://www.onlineathens.com/local-news/2017-03-01/university-georgia-reinter-remains-individuals-discovered-baldwin-hall>

⁵⁸<https://news.uga.edu/uga-reinter-remains-discovered-baldwin-hall-construction/>

⁵⁹It appears that somebody forgot the change to past tense in the title of the March 8 *UGA Today* story.

potential family members,” that the site would be marked by a “stately granite marker,” and that UGA has consistently followed the guidance of the State Archaeologist in its decision to reinter the remains in Oconee Hill Cemetery.

Though a broad range of official UGA communications illustrate this message discipline, four examples suffice here.

March 4, 2017, letter published in *Athens Banner-Herald* from then-Associate Provost for Institutional Diversity Michelle Cook and Allison Bracewell McCullick, Director of Community Relations in the Division of Marketing and Communications:⁶⁰

Ever since the University of Georgia discovered the remains of individuals buried at the Baldwin Hall site in November 2015, our primary goal has been to treat these men, women and children with the utmost dignity and respect. The site selected for their reinterment, at Oconee Hill Cemetery, will be marked by a stately granite marker that provides an account of their discovery and reinterment. Oconee Hill will provide perpetual care of the site. Dignity and respect will continue to be our guiding principle.

Throughout this entire process, the university has strictly followed the guidance of the state archaeologist’s office to reinter the remains individually, in a location close to the original site. Oconee Hill is the closest location. We have been informed by the state archaeologist’s office that this is the most appropriate approach.

March 20, 2017 *UGA Today* statement regarding the memorial ceremony held in Oconee Hill Cemetery:⁶¹

“From the moment the first remains were discovered in November of 2015, the university’s guiding principle has been to treat these individuals with dignity and respect, and it is in that spirit that today’s ceremony was developed.” [President Morehead]

Throughout this entire process, the university has strictly followed the guidance of the State Archaeologist’s Office to reinter the remains individually, in a location close to the original burial site, and arranged as closely as possible to the original burial configuration so as to not inadvertently separate potential family members. The university was informed by the State Archaeologist’s Office that reinterment in Oconee Hill Cemetery was the most appropriate approach.

“From the first discovery of these remains on the Baldwin Hall site to their reinterment at Oconee Hill Cemetery, the University of Georgia has relied upon the expertise and direction of the State Archaeologist’s Office,” said Gwynne Darden, associate vice president for facilities planning and university architect, who is overseeing the Baldwin

⁶⁰<https://web.archive.org/web/20170304182529/http://onlineathens.com/opinion/2017-03-04/cook-mccullick-uga-treating-human-remains-baldwin-hall-utmost-respect>

⁶¹<https://news.uga.edu/uga-community-honor-individuals-whose-remains-were-reinterred-in-ocone/>

Hall expansion project. “Their experience has provided the university with the necessary guidance to care for the remains of these men, women and children in the most dignified, respectful and appropriate manner.”

Dr. Michelle Cook’s statements as paraphrased in a June 23, 2017, article in the *Chronicle of Higher Education*:⁶²

Once remains did turn up, she says, Georgia reburied them based on guidance from the Office of the State Archaeologist. That meant finding a new grave site close to the original one (Oconee Hill is minutes from Baldwin). It meant reintering remains individually in wooden funeral boxes whose size was appropriate to their contents. It meant burying them as closely as possible to their original configuration, so as not to separate family members or other pairings.”

March 22, 2018 letter published in *Athens Banner-Herald* from UGA Executive Director of Media Communications Greg Trevor.⁶³ After asserting that the *Athens Banner-Herald* misrepresented UGA’s efforts to treat the Baldwin Hall remains with “respect and dignity,” Trevor continues as follows:

The University of Georgia followed the guidance of the State Archaeologist’s Office every step of the way, from discovery to reinterment.

The State Archaeologist’s Office provided three key instructions as guidance for reinterment:

- That the cemetery be close to the original burial site. Oconee Hill is the closest cemetery to Old Athens Cemetery and was its successor in the 1800s.
- That the remains be reburied individually. Each of the remains was carefully catalogued and placed in an individual funeral box.
- And that the remains be arranged as closely as possible to the original burial configuration so as not to inadvertently separate family members. This was done.

Regarding this message discipline, the committee makes no final judgment of motive or intent. But it is clear to the committee that while some elements of this messaging simply inform the public of steps taken in the handling of the remains, other elements, including the strict consistency of the messaging, tend to insist on the relevance of certain data points more than they encourage inquiry or invite dialogue.

⁶²http://www.franklin.uga.edu/sites/default/files/Buried_History_Chronicle_2017.pdf

⁶³<https://www.onlineathens.com/news/20180322/uga-article-misrepresents-universitys-actions-concerning-reinterment-of-remains>

Opposed to this message discipline, a diverse range of voices from both local community members and UGA faculty emerged after March 1, 2017, challenging the official narrative. Three distinct though interlinked topics were prominent:

- Lack of consultation with local community members
- The decision to reinter the remains in Oconee Hill Cemetery
- The disrespectful manner in which reinterment occurred

The latter two topics are connected to the issue of lack of consultation. However, in what follows, each of the three is discussed as a distinct element of a broader discourse that challenged the narrative promulgated by UGA, because each reveals different aspects of what transpired.

3. Pervasive Lack of Consultation with Local Community Members

As previously discussed, UGA officials consistently asserted that they had consulted with members of the local community, particularly the African American community, once the ancestry of the Baldwin Hall remains had been established by DNA evidence. In particular, as already noted, there was a two-month lag between the day UGA was informed of DNA results and the day these results were announced to the public.

Assertions by UGA officials that they had consulted with members of the local African American community were made frequently in the weeks after March 1, 2017. The letter from Associate Provost Cook and Director of Community Relations McCullick published in the *Athens Banner-Herald* on March 4, 2017,⁶⁴ stated that “The university has reached out to community leaders and hopes that many will attend the reinterment ceremony planned for March 20,” directing attention to the March 20, 2017 reinterment ceremony and away from broader questions about how that decision was made. The March 8, 2017 *UGA Today* press release⁶⁵ announcing that the remains had been reinterred states that, “Senior university representatives have held numerous meetings and conversations with leaders throughout the community to discuss the reinterment of these remains at Oconee Hill Cemetery.”⁶⁶ In his March 22, 2018 letter to the *Athens Banner-Herald* attempting to refute criticisms of UGA,⁶⁷ Executive Director of Media Communications Greg Trevor states that “The University consulted with several elected leaders of the local African-American community about this process.”⁶⁸ Referring to the March 20, 2017 reinterment ceremony in Oconee Hills Cemetery, Trevor further noted that:

⁶⁴<https://web.archive.org/web/20170304182529/http://onlineathens.com/opinion/2017-03-04/cook-mccullick-ug-a-treating-human-remains-baldwin-hall-utmost-respect>

⁶⁵<https://news.uga.edu/uga-reinter-remains-discovered-baldwin-hall-construction/>

⁶⁶This statement was not published in the almost identical article published in *Athens Banner-Herald* on March 1, 2017.

⁶⁷<https://www.onlineathens.com/news/20180322/uga-article-misrepresents-universitys-actions-concerning-reinterment-of-remains>

⁶⁸Trevor goes on to state that “The *Athens Banner-Herald* included letters and quotes by some of these individuals, expressing appreciation for the University’s handling of this matter, in its ongoing coverage of the story last year.” The committee was only able to find one such letter of support for UGA, by Rev. Charlie Maddox, published March 21, 2017.

Two prominent members of the local Athens community, U.S. District Court Judge Steve Jones and Reverend Winfred Hope, joined President Morehead and spoke at this solemn and respectful service. More than 200 individuals joined us for this remembrance.

He concludes the letter by stating:

The University carefully considered multiple perspectives on this issue over one year ago. The facts clearly demonstrate that the University has taken appropriate and thoughtful actions in this matter.

According to Cook, cited in the *Chronicle of Higher Education* on June 23, 2017:⁶⁹

Georgia consulted members of the black community about the memorialization process, Cook says, naming a judge, Steve C. Jones; a music professor, Gregory S. Broughton; and a pastor, Winfred M. Hope, all of whom participated in the March 20 ceremony. The university's handling of the reburial has earned the praise of another local black pastor, Charlie Maddox, who wrote an op-ed in the *Athens Banner-Herald* attacking critics' "inflamed and hyperbolic rhetoric."⁷⁰

Nearly one year post-reinterment, the theme of community engagement emerges in Vice President for Research David Lee's March 1, 2018, letter⁷¹ to Faculty Senate President Dr. Mary Bedell:

I can report upon conversation with Alison McCullick, UGA's Director of Community Relations, President Morehead's meetings with community leaders last April were impactful, leading to UGA's engagement with the Great Promise Partnership internship program that is now employing several Clarke County high school students, in addition to the enhancement of several other outreach programs. For example, just a few weeks ago, we hosted more than 100 local students for a day-long service learning opportunity associated with Ms. Charlayne Hunter-Gault's delivery of the Holmes-Hunter Lecture. You can learn more about UGA's involvement in our local community at www.uga.edu/community, a website created last spring to catalog our outreach efforts.

Such engagement, though obviously laudable, does not address whether or how UGA engaged in meaningful consultation with the local community in reference to the Baldwin Hall remains, as well as the specific issues of concern raised by both community members and faculty. This committee does not question that administrators reached out to select community members to discuss UGA's plans for reinterment or other matters. However, that "reaching out" falls far short of what was required for creating an inclusive process of community consultation as this is generally understood by experts in this practice.

⁶⁹http://www.franklin.uga.edu/sites/default/files/Buried_History_Chronicle_2017.pdf

⁷⁰Both Jones and Maddox were subsequently appointed to the task force appointed by President Morehead in 2018 to plan a memorial at Baldwin Hall.

⁷¹http://www.franklin.uga.edu/sites/default/files/Lee_David_030118_Baldwin_site_letter.pdf

Contrary to the assertions of UGA administrators, numerous members of the local community, particularly African American community leaders, voiced in often exasperated terms their frustration with UGA's lack of consultation and lack of inclusion in decision-making about the fate of the Baldwin Hall remains, and these concerns were widely reported in local media.

On March 4, 2017, just three days after the announcement of the African ancestry of the Baldwin Hall remains was made, local leaders in the African American community – including Fred Smith and Michael Thurmond – held a press conference in front of historic Morton Theater in order to press their case that UGA needed to include presumed descendants in decision-making about the remains. According to the article published in the *Athens Banner-Herald* about this press conference:⁷²

Black leaders called on University of Georgia administrators Saturday to at least listen to what they have to say before proceeding with plans to reinter remains found from more than 100 unmarked graves as contractors remodeled and expanded a UGA building.

“Normally when graves are moved, there’s an effort to communicate with the next of kin, but UGA didn’t do that,” said [Michael] Thurmond, raising the possibility that African American graves could be ancestors of some people still living in the Athens area.

In a letter to the *Athens Banner-Herald* published on March 7, 2017⁷³ – the very day that UGA proceeded with the secret reburial of the Baldwin Hall remains in Oconee Hill Cemetery – Mr. Smith responded to the March 4 letter published in the same paper by Associate Provost Michelle Cook and Director of Community Relations Alison Bracewell McCullick:

There are less than two weeks between now and the March 20 reinterment ceremony planned by the university.⁷⁴ That is not enough time for the community to come to grips with and understand this process, because it has not been transparent or inclusive.

It seems apparent that the university has acted hastily and in poor faith with regard to the reinterment of these remains. By not reaching out to the African American community sooner, administrators have underestimated and misunderstood the emotional response from the plausible descendants of the men, women and children who are to be reinterred.

An article published in *Athens Banner-Herald* on March 11, 2017 stated the following:⁷⁵

⁷²<https://www.onlineathens.com/local-news/2017-03-04/black-leaders-call-uga-further-discuss-future-uneearthed-remains-baldwin-hall>

⁷³<https://www.onlineathens.com/opinion/2017-03-07/smith-uga-acting-too-quickly-baldwin-hall-remains>

⁷⁴Note Mr. Smith's assumption that the Baldwin Hall remains would be reburied at the March 20, 2017 memorial ceremony rather than this very day.

⁷⁵<https://www.onlineathens.com/local-news/2017-03-11/sting-death-uga-s-handling-baldwin-hall-remains-faces-criticism>

UGA's plans angered many in Athens' black community, outraged at what they considered disrespectful treatment of people who had died as slaves. There has also been concern that nobody had bothered to ask people who might be the descendants of those slaves what they thought should happen.

Former state Labor Commissioner Michael Thurmond, an Athens native who in 1986 became the first black person elected to represent Athens in the state legislature, urged university officials to take it as an opportunity, and at least talk with people before going ahead with their plans.

Reflecting the frustration of local community members, the same article quoted Athens-Clarke County School Board member Linda Davis saying "I have a belief in my heart that we still live on the University of Georgia plantation."

In an opinion piece published in the *Red & Black* on March 14, 2017, a student named Jaime Conlan expressed his concerns as follows:⁷⁶

Many Athens community members are concerned with UGA's handling of the burials and have not been included in any sort of discussion.

The burial case concerns the final resting places of many unnamed African Americans, meaning that it needs to be handled delicately and with respect. While UGA claims to be doing their best, there is no doubt that the African American community has been pushed to the side...many African Americans have been excluded from these discussions despite expressing their dissent. Their concerns have not been met with open communication.

An April 4, 2017 statement⁷⁷ published on the website of the Athens Anti-Discrimination Movement noted that "UGA made every crucial decision regarding moving the bodies and re-burying them in the Oconee Hill cemetery." One year later, an April 3, 2018 article⁷⁸ published in *Athens Banner-Herald* noted that "The black leaders criticized what they saw as the university's lack of transparency and failure to involve local community members, some of whom may be descended from the people buried [in] the old cemetery."

A term that repeatedly appears in critiques of UGA's lack of meaningful consultation in decision-making with regard to the reburial of the Baldwin Hall remains is "unilateral." The *Chronicle of Higher Education* cites MIT historian Craig Steven Wilder:⁷⁹

⁷⁶https://www.redandblack.com/opinion/opinion-uga-is-disrespecting-african-american-remains-found-by-baldwin/article_2e7121b4-082b-11e7-ae35-1ff498330bd7.html

⁷⁷<https://www.aadmovement.org/honoring-the-ancestors-uga-baldwin-hall-slave-bodies-vigil-and-rally/>

⁷⁸<https://www.onlineathens.com/news/20180403/uga-faculty-group-will-continue-talks-on-baldwin-hall-and-slave-burials>

⁷⁹http://www.franklin.uga.edu/sites/default/files/Buried_History_Chronicle_2017.pdf

The idea, he says, “that state institutions can unilaterally make decisions about the reburial and the remains of enslaved people, without in fact a significant and extended period of public discussion, to me is outrageous.”⁸⁰

In documenting the criticisms directed at UGA regarding the lack of consultation and unilateral decision-making with respect to the human remains exhumed at Baldwin Hall, this committee is not claiming that UGA did not speak to community members at all. Information on the degree to which such outreach occurred is incomplete despite the committee’s best efforts to address gaps in the available record. Available evidence suggests that UGA has a network of contacts from different communities in Athens – through the Office of Marketing and Communications or through senior administrators associated with the President and Provost - who can be consulted as necessary, and that UGA officials have at times been proactive in efforts at outreach and communication. However--and again, based on available evidence--this network is weighted heavily in terms of supporters, that is, people who can be counted on to speak positively on behalf of UGA as necessary. As a model of hierarchical corporate/university communication management that is responsive to a chain of command, this may be an adequate, but as discussed at length in the body of this committee’s report, it does not constitute community consultation as generally defined.

4. Decision to Reinter the Remains at Oconee Hill Cemetery

A second area of major concern to local community members was the decision by UGA to reinter the remains from Baldwin Hall in Oconee Hill Cemetery. Though University officials had announced some months before (October 29, 2016) their decision to reinter these remains, as far as this committee is able to determine, the decision to reinter them in Oconee Hill Cemetery was not announced until March 1, 2017. This committee takes no position as to whether Oconee Hill Cemetery (hereafter OHC) was the appropriate site for reburial; it is how that decision was made that is at issue. The University had opportunities to engage with local African American communities by agreeing to reinter the Baldwin Hall remains at a historic African American cemetery in Athens. The University decision to decline these offers offended local citizens who have done much in the way of historic preservation of black cemeteries and black history in Athens. However, it appears that the deeper source of offense was failure to consider the offers at length and engage in a consultative process concerning them.

Concerns about the decision to reinter the remains in OHC were expressed immediately upon public notice that the Baldwin Hall remains were of African ancestry. According to an article published in the *Athens Banner-Herald* on March 2, 2017:⁸¹

Oconee Hills does contain the unmarked graves of some people who were slaves, but it’s not the right place for the people unearthed during the Baldwin Hall construction, said Linda Davis, who has spearheaded restoration efforts at Athens’ Brooklyn Cemetery.

⁸⁰Notably, the term *unilateral* is one of the words that provoked UGA Executive Director of Media Communications Greg Trevor’s angry March 22, 2017 letter to the *Athens Banner-Herald*, as is discussed elsewhere.

⁸¹<https://www.onlineathens.com/local-news/2017-03-02/uga-should-reinter-baldwin-bodies-african-american-cemetery-black-leaders-say>

“If they just put them into Oconee Hills, they’ll just be forgotten. I’d like to see them all reinterred in a place that we can bring some dignity and respect to them,” said Davis, who is also a member of the Clarke County Board of Education. “They need to be reinterred with their community.”

The Brooklyn Cemetery, next to Alps Road Elementary School, and Gospel Pilgrim, on Fourth Street, both date to 1882 and contain the bodies of many people born into slavery and black leaders of the late 19th and 20th centuries, Davis explained.

In addition to reintering the remains in one of those historic African American cemeteries, UGA should also establish an endowment for future upkeep of the graves, Davis said.

In defending UGA’s decision to reinter the Baldwin Hall remains in Oconee Hill Cemetery, Executive Director of Media Communications Greg Trevor, in an email cited in the *Athens Banner-Herald*,⁸² stated that OHC had a long legacy of being “bi-racial:” “Based on historical accounts, both Old Athens Cemetery and Oconee Hill Cemetery were bi-racial from their inception.” The expert response to this justification was scathing. As was noted in a letter from the UGA History Department published in the *Athens Banner-Herald* a year later:⁸³

Using the term “biracial” implies an equality that did not exist at the time of Oconee Hill’s founding. The first African Americans interred at OHC were almost certainly enslaved. They were buried in the cemetery’s flood plain, their families were debarred from erecting enclosures or monuments, and their movements within the cemetery were restricted, sometimes making it impossible for them to visit the graves of family members. By 1900, black people were prohibited from being buried at OHC, and it became known as the “white cemetery in the city.” Local historian Al Hester has noted that African Americans began using the black cemetery at Gospel Pilgrim in the 1880s not merely because of segregation but because they sought sanctuary from constantly seeing their ancestors dug up and paved over, being told what stones to erect, and being prohibited from visiting loved ones. The University reproduced this experience for the African American community in 2017.

In large part because of the racial restrictions at Oconee Hill Cemetery, two African American cemeteries were opened in the 1880s, Brooklyn Cemetery and Gospel Pilgrim Cemetery. By the early 1900s, burials in Oconee Hill Cemetery were exclusively for white people.

⁸²<https://www.onlineathens.com/local-news/2017-03-04/black-leaders-call-uga-further-discuss-future-uneearthed-remains-baldwin-hall>

⁸³<https://www.onlineathens.com/news/20180402/statement-on-baldwin-hall-from-university-of-georgia-history-department>

In an *Athens Banner-Herald* article published on March 11, 2017,⁸⁴ Mr. Fred Smith dismissed the decision to reinter the remains in OHC in stark terms: “They’re being placed close to their white masters again.”

It should be noted that some members of the African American community objected to reburial of the Baldwin Hall remains in Brooklyn or Gospel Pilgrim cemeteries, and clearly it is possible to see both advantages and disadvantages in any of the potential burial locations. In an opinion piece published in the *Athens Banner-Herald* on March 21, 2017 by Rev. Charlie Maddox in defense of UGA’s decision, he states that:⁸⁵

The state archaeologist gave guidance to the university, suggesting that the remains be reinterred at the closest cemetery, which is Oconee Hill Cemetery. The cemetery is prestigious, immaculately kept and the reinterment is in full accordance with recommendations from the state.

There have been opinions offered that the remains should be identified and reinterred in a historical local African-American cemetery. I don’t share that opinion, and neither do the many friends with whom I’ve spoken.

Sadly, while there are ongoing restoration efforts, the local African-American historical cemeteries are not under perpetual care and likely would not provide ongoing care for any reinterred remains.

The counterarguments to Rev. Maddox's concern about perpetual care are statements made by Ms. Linda Davis, an Athens native who is on the Clarke County Board of Education and has been one of the leaders of the revitalization of Brooklyn Cemetery. In her interview with the committee, Ms. Davis said of the issue of the lack of perpetual care at the two local African American cemeteries (Brooklyn Cemetery and Gospel Pilgrim Cemetery):

“There could have been a different statement ... A different narrative would be: ‘We’re going to commit ourselves and our resources ... we can transform either one of these cemeteries [the other being Gospel Pilgrim] if we want to do that.’ Now, that’s not their work. I get that. But if they really wanted to reach out to this community and start saying in a meaningful way: ‘Our low wages, our history, our treatment of the African American community, from inception, may have led to this current state. And we want to take some positive steps to start addressing that.’ That’s the olive branch I want.”

These diverse and conflicting perspectives concerning the best location for reburial serve to underscore that what would have been best, indeed necessary, in this case would be a consultative process by which presumed descendants could reach consensus amongst themselves about where to reinter the remains exhumed from behind Baldwin Hall.

⁸⁴<https://www.onlineathens.com/local-news/2017-03-11/sting-death-uga-s-handling-baldwin-hall-remains-faces-criticism>

⁸⁵<https://www.onlineathens.com/2017-03-21/maddox-uga-made-right-decision-reinterring-baldwin-hall-remains>

In justifying the decision to reinter the Baldwin Hall remains in Oconee Hill Cemetery, Executive Director of Media Communications Greg Trevor stated that “Oconee Hill Cemetery is the successor to Old Athens Cemetery, so it is the *logical* place to reinter remains from Old Athens Cemetery.”⁸⁶ Likewise, reflecting the aforementioned message discipline, UGA officials citing the guidance of the State Archaeologist – Associate Provost Cook, Executive Director of Media Communications Trevor, President Morehead – consistently used the term “appropriate” to support their arguments in favor of reinterment in Oconee Hills Cemetery

“this is the most appropriate approach”⁸⁷

“this is the most appropriate approach”⁸⁸

“The university was informed by the State Archaeologist’s Office that reinterment in Oconee Hill Cemetery was the most appropriate approach”⁸⁹

The committee notes that from the point of view of the key issue of consultation, the question of whether reinterment in Oconee Hill Cemetery is “logical” or “appropriate” ignores the fact that it was not up to UGA officials to decide what was logical or appropriate in this case.

5. Disrespectful manner in which reinterment occurred

Another element in local community criticisms of UGA’s decisions regarding the Baldwin Hall remains is that the manner of their reinterment was disrespectful. In making this judgment, local community members not only were referring to the fact that they were being ignored, but also were asserting that the decisions made about the manner of reinterment demonstrated a profound lack of respect for the remains.

The official UGA narrative stressed that the Baldwin Hall remains were consistently treated with the “utmost dignity and respect.” This narrative insists that in placing the remains in a cemetery with a “stately granite marker” and following OSA’s guidelines on their reinterment, such respect was adequately demonstrated.

Throughout this entire process, the university has strictly followed the guidance of the State Archaeologist’s Office to reinter the remains individually, in a location close to the original burial site, and arranged as closely as possible to the original burial configuration so as to not inadvertently separate potential family members.⁹⁰

⁸⁶<https://www.onlineathens.com/local-news/2017-03-04/black-leaders-call-uga-further-discuss-future-uneearthed-remains-baldwin-hall>

⁸⁷<https://web.archive.org/web/20170304182529/http://onlineathens.com/opinion/2017-03-04/cook-mccullick-uga-a-treating-human-remains-baldwin-hall-utmost-respect>

⁸⁸<https://www.onlineathens.com/local-news/2017-03-04/black-leaders-call-uga-further-discuss-future-uneearthed-remains-baldwin-hall>

⁸⁹<https://news.uga.edu/uga-community-honor-individuals-whose-remains-were-reinterred-in-ocone/>

⁹⁰<https://news.uga.edu/uga-community-honor-individuals-whose-remains-were-reinterred-in-ocone/>

This is not how many members of the local African American community saw it, as was most clearly seen in the March 4, 2017 press conference held in front of the Morton Theater. Referring to UGA's plans to reinter the remains in Oconee Hill Cemetery, the *Athens Banner-Herald* reported the following:⁹¹

UGA's plans angered many in Athens' black community, outraged at what they considered disrespectful treatment of people who had died as slaves. There has also been concern that nobody had bothered to ask people who might be the descendants of those slaves what they thought should happen.

Alvin Sheats, president of Athens' NAACP chapter, said "it's no surprise" the remains were being disrespected in a recent news conference in which he and other black leaders called on UGA to step back.

Mr. Fred Smith, who has followed the Baldwin Hall case closely since the moment of discovery of human remains at Baldwin Hall and who has been a vocal critic of UGA's treatment of those remains, characterized the way reinterment occurred at Oconee Hill Cemetery as a "mass burial." In a subsequent letter to the *Athens Banner-Herald* published on March 7, 2017,⁹² Mr. Smith explicitly challenged UGA's treatment of the Baldwin Hall remains as being characterized by "utmost dignity and respect" on multiple grounds. At the March 25, 2017 public forum "Conversation About Slavery at UGA and the Baldwin Site Burials" in the Richard Russell Special Collections Libraries, Mr. Smith informed the audience that "There were funeral homes that would have transported the remains, they didn't have to put them in a U-Haul truck. A U-Haul truck! And then the sign the university put up says they were 'respectfully reinterred.'"⁹³ (Flagpole, 3.27.17)

One notable published account occurred in the *Chronicle of Higher Education*. In the *Chronicle* article,⁹⁴ Mr. Smith recalls receiving a phone call from someone on March 7 telling him that the reburial was underway. He rushed to Oconee Hill Cemetery around noon.

The gate was locked. The reburial would not take place during the March 20 ceremony, as some had assumed from the university's press release. It was happening now — unannounced — during Spring Break.

Smith drove to another gate. It was also locked, but there he had a clear view of the reburial. No minister anywhere. No hearses, just U-Haul-like moving trucks. Workers lowering boxes, not coffins, into what seemed like a mass grave. When one person saw

⁹¹<https://www.onlineathens.com/local-news/2017-03-04/black-leaders-call-uga-further-discuss-future-uneearthed-remains-baldwin-hall>

⁹²<https://www.onlineathens.com/opinion/2017-03-07/smith-uga-acting-too-quickly-baldwin-hall-remains>

⁹³<https://flagpole.com/news/city-dope/2017/03/27/panel-wrestles-with-uga-s-legacy-of-slavery>

⁹⁴http://www.franklin.uga.edu/sites/default/files/Buried_History_Chronicle_2017.pdf

Smith taking pictures, he says, the man pulled a large truck in front of the gate to block his view.⁹⁵

After witnessing this Mr. Smith met with the former Director of UGA's Institute for African American Studies who described her "horror that remains were treated that disrespectfully." According to Smith:

University administrators "had no emotional inclination about this," he says. "I guess they thought that we would take that as some prehistoric bones that they found, and that we wouldn't identify that those might have been our relatives, our ancestors."

According to Mr. Smith, choice of reburial site aside, it would have been more appropriate to reinter the remains as individuals. As previously observed, Mr. Smith noted that local funeral homes had offered to provide hearses to transport the remains individually to the new gravesites.

Mr. Smith and Ms. Linda Davis were invited to provide their perspective on the treatment of Baldwin Hall burials at a meeting of the Faculty Senate on March 20, 2018.⁹⁶

Mr. Smith stated that at the heart of the University's failure to communicate well with the African American community was a problem of disrespect, including a failure to offer public recognition (e.g., in the form of an official apology) that it was wrong to destroy a cemetery to expand a building...Ms. Davis expressed her hope that UGA and the wider community will find a way to move forward, but she also confessed that she found it disheartening that there is still no record of the contribution made by African Americans to the building of Athens. She is concerned by the appearance of systemic disrespect by the University towards the African American community, and strongly proposes that the University show its commitment to doing further research on the history of African Americans on campus and in town.

Without judging the merit of the various criticisms recorded above, the committee here observes that UGA's decisions regarding the reinterment of the Baldwin Hall remains were in fact made not only without meaningful consultation, but also hastily, misleadingly and in secret. These facts are not matters of opinion; based on published accounts, both by UGA and in local media, they are matters of public record.

In the brief period between the March 1 announcements that the remains were mostly of African origin and the March 7 reburial in Oconee Hill Cemetery, local members of the African American community repeatedly implored UGA to consult with them and not act in haste, as discussed earlier in this appendix. Writing in reference to local African American leaders a few months after reburial, the *Chronicle of Higher Education* states that "They implored the

⁹⁵As noted elsewhere in the same article, UGA officials dispute this account.

⁹⁶https://franklin.uga.edu/sites/default/files/inline-files/2018%20faculty%20senate%20minutes%20of%20March%2020%202018_revised%20for%20name%20title%20errors_18APR2018.pdf

university to slow down.” These calls were not heeded. As the *Atlanta Journal Constitution* reported somewhat later:⁹⁷

Smith and other black leaders called on university leaders to hear their concerns and to talk about the plan before proceeding. Within days, the university went ahead with a secret reburial at the Oconee Hill Cemetery performed outside the public’s view.

In an article published in the *Athens Banner-Herald* on March 7, 2017,⁹⁸ portions of Mr. Smith’s account of what he witnessed at Oconee Hill Cemetery were found to be accurate.

The cemetery’s front gate was closed Tuesday morning as workers gathered with heavy equipment at the site, near the back of Oconee Hill Cemetery, visible from a gate at a back entrance to the cemetery.

“We didn’t want it to turn into a spectacle,” explained UGA spokesman Greg Trevor.

In the account published in the *Chronicle of Higher Education*, Associate Provost Michelle Cook cited the weather and – once again echoing the words of Executive Director of Media Communications Greg Trevor - the desire to avoid a “spectacle,” as the primary reasons for going ahead with reburial.

It was necessary to reinter the remains at an earlier time, she says, with good weather. Locking the gate — normal at Oconee, she says, for burials that take place separately from funeral services — was appropriate to prevent a media or public spectacle. And, contrary to Smith’s claim about the large truck, the consultants who handled the reburial say they did not deliberately block anyone’s view, according to Greg Trevor, the university’s chief spokesman.

As noted in Section II C, the committee is unable to find a meaning for this remark about the possibility of a “spectacle” that is not offensive to the dead and their descendants. There is no reason for the University of Georgia to fear a spectacle, if (as is evidently the case) by spectacle was meant an event at which the presumed descendants or representatives of those being reburied were present. As a public event, the March 20, 2017 reburial ceremony was itself a “spectacle”--albeit one constructed by the University with insufficient community input.

An article in the *Athens Banner-Herald* on October 29, 2016⁹⁹ announced that the Baldwin Hall remains would be reinterred but stated that “The university has not said where the remains will be reburied.” As far as the committee has been able to discover, the decision to inter the remains in Oconee Hill Cemetery was made on or about November 1, 2016, six weeks before the

⁹⁷<https://www.ajc.com/news/state--regional/after-missteps-and-criticism-uga-honor-memory-slaves-campus/dja1Kp61WYTrzr7BNsRkl/>

⁹⁸<https://www.onlineathens.com/local-news/2017-03-07/uga-going-ahead-reinterment-plans-remains-uncovered-construction-project>

⁹⁹<https://www.onlineathens.com/local-news/2016-10-29/uga-will-re-inter-remains-found-campus-construction-site>

ancestry of the Baldwin Hall remains was reported to UGA. The decision to reinter the remains in Oconee Hill Cemetery was only announced to the public on March 1, 2017, in the *Athens Banner-Herald*.¹⁰⁰

Following the guidance of the State Archaeologist's Office, this spring the University of Georgia will reinter the remains of individuals discovered during the construction of the Baldwin Hall expansion. The reburial will take place in Oconee Hill Cemetery and will be commemorated with a ceremony on March 20.

The university has strictly followed the guidelines provided by the State Archaeologist's Office throughout the process and, in keeping with that advice, will reinter the remains individually in Oconee Hill Cemetery, which is close to the original burial site.

A letter from Cook and McCullick published in the *Athens Banner-Herald* on March 4, 2017, stated:¹⁰¹

The site selected for their reinterment, at Oconee Hill Cemetery, will be marked by a stately granite marker that provides an account of their discovery and reinterment. Oconee Hill will provide perpetual care of the site. Dignity and respect will continue to be our guiding principle.

Throughout this entire process, the university has strictly followed the guidance of the state archaeologist's office to reinter the remains individually, in a location close to the original site. Oconee Hill is the closest location. We have been informed by the state archaeologist's office that this is the most appropriate approach.

This justification for the choice of Oconee Hill Cemetery appears to be borne out the March 6, 2017 letter from the State Archaeologist to UGA,¹⁰² quoted at length earlier, which approvingly notes that Oconee Hill "is in geographic proximity to the original burial location, and has space in which to reinter as a group. Additionally, there is a strong historical relationship between Old Athens Cemetery and Oconee Hills [sic] Cemetery."

As noted, there was significant local opposition to reburial in Oconee Hill Cemetery, and requests from local African American leaders that UGA consult with them before going ahead with plans for reburial. Likewise, as noted elsewhere in this report, UGA was being given advice (from at least one scholarly expert and possibly from OSA itself) about the need to consult with presumed descendants – specifically members of the African American community – which was ignored.

¹⁰⁰<https://www.onlineathens.com/local-news/2017-03-01/university-georgia-reinter-remains-individuals-discovered-baldwin-hall>

¹⁰¹<https://web.archive.org/web/20170304182529/http://onlineathens.com/opinion/2017-03-04/cook-mccullick-uga-treating-human-remains-baldwin-hall-utmost-respect>

¹⁰² As noted, this letter was sent to UGA just one day before reburial, a moment when a document supporting UGA's position regarding the location for reburial would be desirable.

Some of this advice about the need for consultation certainly was given prior to the March 7 reburial of remains in Oconee Hill Cemetery. According to Dr. Reitsema, in phone calls following the point that she informed OUA of the DNA results by phone on December 22, 2016, she informed the University of the need to commence a process of consultation with presumed descendants. As previously noted, Dr. Reitsema had been issuing such advice for more than a year, both to lay the groundwork for DNA testing among potential descendants and to consult with community members about further bioarchaeological research beyond her initial non-invasive and non-destructive work on the skeletal remains.

In the June 23, 2017 article in the *Chronicle of Higher Education*,¹⁰³ it is stated that Associate Provost Michelle Cook cited “more than a dozen mostly black professors and administrators whom she personally contacted before March 1 to discuss what the University had learned about the remains’ ancestry and how it was planning to rebury them.” The committee does not know how long before March 1 these calls were made or what was discussed, nor does the committee know the names of the persons who were contacted. The committee has, however, been informed that a number of faculty members from the Anthropology, African American Studies and History, who had relevant expertise and could have assisted UGA in myriad ways to avoid the mistakes it made, were not contacted.

In an article in the online publication *Diverse Issues in Higher Education* on May 3, 2017¹⁰⁴ Professor Chana Kai Lee from the Department of History is quoted as saying that

the university community also had little say in the decision-making process prior to the reinterment of the remains at Oconee Hill. Instead, they were apprised of developments via university press releases, finding out about new discoveries at the same time that the public did. “I thought that perhaps the university community or at least people with a stake in this issue — like Black faculty, perhaps — should have been notified before it got to the press,” Lee said. “We have a university-wide listserv, and even though that would have been pretty impersonal, it would have been better. I thought the way it was handled in that respect was a bit insensitive, and kind of clumsy, really.”

This committee finds it deeply concerning that UGA did not consult fully with faculty members in Anthropology, History, African American Studies and the College of Environment and Design (CED) who are recognized authorities on issues related to the treatment of human remains, cultural resource management, community consultation, and community engagement in planning processes. Many experts from these departments and units made known their willingness to assist administrators in addressing the sensitive issues raised by the Baldwin Hall remains. Had UGA chosen to reach out to, and/or listen to, those with such expertise, it is likely that UGA would not have suffered the ongoing national embarrassment it has experienced as a result of its actions. As noted, the University had opportunities to engage with local African American communities by conducting meaningful consultation that went beyond outreach to selected individuals, but declined to do so.

¹⁰³http://www.franklin.uga.edu/sites/default/files/Buried_History_Chronicle_2017.pdf

¹⁰⁴<https://diverseeducation.com/article/96068/>

In an article addressing the Baldwin Hall case published in the *Atlanta Journal Constitution* on September 7, 2018,¹⁰⁵ Vice Provost Michelle Cook stated that, “There’s no playbook for something like this for an institution. We’ve moved forward in the best possible way to treat the individuals respectfully.”

The committee finds this statement to be flawed and incorrect on multiple grounds. First, other examples exist of African-American burial grounds being discovered during construction projects, and the University could have learned from the handling of cases such as the African Burial Ground National Monument in New York or the Avondale Burial Place in Bibb County. Second, numerous faculty in Franklin College and CED work in disciplines that have long experience addressing the treatment of human remains, consultation processes for engaging with descendant communities, community consultation and mediation in planning processes that involve community heritage, and related matters. Third, numerous universities, including many public universities in the US South, have made significant progress in addressing legacies of memory and erasure in relation to slavery, and discussed in Section III-D, a national network – *Universities Studying Slavery* – exists to help universities (both faculty and administrators) navigate the challenges of acknowledging their histories of entanglement with slavery. The “playbook” was in plain sight for UGA, and it is clear that had University officials and administrators worked together with concerned faculty to take advantage of these resources, national embarrassment could have been avoided.

This committee recognizes that senior administrators at UGA did “reach out” to certain community members through phone calls to discuss elements of plans for reburial. However, as various experts have made clear, the degree and type of consultation, while well-intentioned, is clearly inadequate for addressing community concerns. The disciplinary standards related to the treatment of human remains are largely silent on whether phone calls to selected individuals even qualifies as part of a consultation process. Consultation is messy and time-consuming. It requires moving at a pace that is set by the community, not the institution, and it requires communicating with many who disagree with each other or with other stakeholding groups. It is especially difficult when carried out in the wake of long histories of mutual distrust and/or misunderstanding. Judged according to widely accepted standards for community consultation related to the discovery of human remains, UGA clearly did not comply with any sort of established standard or body of practice regarding the treatment of human remains.

6. Role of the Office of the State Archaeologist

The Office of the State Archaeologist (OSA) is part of the State Historic Preservation Office (SHPO), which itself is a part of the Georgia Department of Natural Resources (DNR). OSA serves as an advisory and educational agency on archaeological matters. As should be clear from the previous sections, UGA communications about the Baldwin Hall case consistently cited advice from OSA as evidence that the actions being taken were not unilateral and were strongly guided by the appropriate outside expertise. The idea that UGA was strictly following the

¹⁰⁵<https://www.ajc.com/news/state--regional/after-missteps-and-criticism-uga-honor-memory-slaves-campus/dja1Kp61WvTrzr7BNsRkl/>

guidance of the State Archaeologist in its decisions regarding the burial remains was one of the most frequently repeated elements in the UGA narrative before, during, and after the reburial. This office is mentioned in nearly every *UGA Today* press release throughout the period when information regarding the Baldwin Hall remains was being released by UGA. What is noteworthy is that as UGA administrators began responding to criticisms from the media and community members with additional press releases, the information disclosed about guidance from OSA increased. This includes the disclosure of a March 6, 2017 letter from OSA one day after the remains were reburied (see below for further discussion of this letter). A reference to OSA is likely included in the text on the granite memorial at Baldwin Hall that was dedicated November 16, 2018: “Upon guidance of the State of Georgia, they were reinterred at the Oconee Hill Cemetery.” Strongly implied in all of these statements is the idea that, because the University was following the guidance of OSA, there could be no wrongdoing in the handling of the reburial of the Baldwin Hall remains.

These official statements must be understood as having two very different possible meanings. Insofar as these statements claim simply that official decisions about the graves at the Baldwin Hall site were made while in conversation with OSA, they are accurate. However, insofar as these statements imply either that OSA actually commands a guiding role over official decisions at UGA, or that UGA strictly followed all OSA’s advice to the fullest, the committee must report that both the phrasing on the granite memorial, and many previous press releases, are untrue, as discussed in detail in what follows.

It is clear that UGA, as required by law, brought OSA into conversations concerning the remains at a very early stage. The State Archaeologist was present at some of the earliest meetings with the Office of University Architects and others shortly after the remains were discovered. In the *Athens Banner-Herald* on December 14, 2015¹⁰⁶ (one month after the remains were discovered), it was reported that:

State Archaeologist Bryan Tucker, following protocol for the discovery of human remains and old gravesites, has asked any remains discovered at the Baldwin Hall construction site be removed and re-interred.

There aren’t any criteria for meeting that goal, Tucker said, but in general, the state asks the sets of remains be reinterred together, in a location not far from the original gravesites.

A portion of the March 6, 2017 letter¹⁰⁷ that is relevant to the question of OSA guidance is as follows:

The Office of the University Architect contacted the Georgia Department of Natural Resources Office of the State Archaeologist (DNR-OSA). DNR-OSA then assisted the

¹⁰⁶<https://www.onlineathens.com/breaking-news/2015-12-14/work-re-inter-human-remains-found-uga-will-take-some-time-state>

¹⁰⁷The full letter appears in Appendix IX.

University in developing a comprehensive plan for investigation, which was completed in February 2016.

Since the initial discovery DNR-OSA has coordinated with the University of Georgia on the excavation of 105 graves. Only a subset of the total population could be assessed for ancestry through traditional anthropological or DNA analysis. Of this subset both African American and European American remains were identified. Because the ancestry of many of the individuals remains unidentified, DNR-OSA has recommended reintering the remains for their protection per OCGA 31-21-6 (b) (3). We further recommended reinterment in separate containers as a group and arranged as closely as possible to the original burial configuration so as to not inadvertently separate potential family members. Additionally, DNR-OSA always suggests reinterment as close to the original burial location as possible. Oconee Hills Cemetery fulfills these two conditions as it is in geographic proximity to the original burial location, and has space in which to reinter as a group. Additionally, there is a strong historical relationship between Old Athens Cemetery and Oconee Hills Cemetery. Throughout the investigation process the University of Georgia has been in contact with the DNR-OSA and has fully complied with the requirements of OCGA 31-21-6.

Though this letter refers to guidance provided to UGA by OSA in the past tense, the committee has been unable to establish when and how this guidance was provided. There are multiple points where OSA clearly indicated Oconee Hill Cemetery to be an appropriate resting place for the remains. However, the official University narrative is that OSA effectively ordered UGA to rebury the remains at that cemetery. Indeed, one University official told the chair of this committee that the University would have been fined for not following the directives of OSA. However, this claim, and the larger narrative by the University, are not in accordance with the facts described below that this committee has discovered.

The fact is that USG institutions under the Board of Regents have considerable latitude in their relation to construction procedures, historic preservation concerns, archaeological concerns, and related matters. The committee has not been able to determine the precise degree of this latitude. However, in conversation with Dr. Bryan Tucker, head of OSA, the chair of this committee was told clearly that neither OSA nor SHPO can issue orders to USG institutions, including UGA. Dr. Tucker stated very clearly that his office advises and educates USG institutions regarding archaeological matters, but does not regulate, fine or sanction them in any way. USG institutions can accept or not accept any recommendations made by OSA about a given archaeological matter, including several aspects of the handling and ultimate reinterment of human remains. The institution only has to show that it considered the recommendations of OSA, but it is not obligated to do what is recommended, so long as its chosen course of action does not violate applicable law. Dr. Tucker noted that Oconee Hill Cemetery was indicated as a reinterment site because of its proximity to Old Athens Cemetery, and that is always what is indicated (though, as described two paragraphs below, this indication may have been complicated by additional advice from OSA). He also made clear with no caveats that UGA could have reburied the remains at some other cemetery, and that it would not have been a problem to do so.

These statements from Dr. Tucker provide more context for the March 6, 2017 letter from OSA to President Morehead. As repeatedly made clear in this report, any instruction from OSA to UGA would be non-binding. Further, the letter is dated just one day before the actual reburial, and at least one day after digging had begun at the reburial site. This alone indicates that the letter does not function as an instruction to UGA. In fact, archival documents at OSA demonstrate that the letter did not exist until March 6, and that OSA had given no written advice about reburial in a few months leading up to that date. This suggests that the March 6 letter was solicited, if not by officials at UGA, then by state officials with supervisory authority over OSA in order to provide a measure of legitimacy for decisions already made about the reburial that was to occur secretly the next day. For detailed evidence on this point, see Appendix XIV.

The committee received conflicting information about whether OSA provided UGA with any guidance concerning community consultation. In a meeting with the chair of this committee on January 18, 2019, Dr. Tucker stated that at one point, his office sent a letter to UGA with three recommendations: keep burials together (so as not to separate possible families), move the graves as little as possible, and talk to the descendant community. In this same conversation, Dr. Tucker stated that the University paid attention to the first two recommendations but not to the third. He remarked that this was the area where decision making by UGA was “lacking.” He likewise said clearly that conversation with the descendant community “can influence what’s appropriate” for reburial; in other words, community consultation might well have prompted UGA to consider a cemetery other than Oconee Hill as the choice for reburial. Dr. Tucker also stated that in the future, the University might “make a better effort to talk to descendant communities” and that lack of such effort in this case is what “caused their problems.”

At the time, this conversation with Dr. Tucker seemed to prove that official (though, as previously indicated, completely non-binding) advice about community consultation was given to UGA by OSA. However, in a follow-up email to the chair of this committee, Dr. Tucker reversed his earlier statements, and stated that, upon examining his records, he could find no written evidence of advice to UGA regarding consultation. He stated further that his recollection of what might have been expressed verbally was uncertain, and that he could not confirm that OSA had given any UGA official advice about community consultation at any point. The committee has some confirmation of the first part of Dr. Tucker’s email; it seems there is no written evidence of any advice to engage in community consultation.

The committee has, however, discovered evidence that some of the earliest recommendations OSA gave to UGA have not in fact been followed in full, including a recommendation for ground truthing the area around Baldwin Hall (ground penetrating radar work has been done; ground truthing has not), and a recommendation for possible restorative or other activities for the graves remaining there. To date, there is no evidence that these recommendations have been followed. Admittedly, given the urgent need for community consultation in this matter, this lack of action actually creates a window for such consultation to have an effect on decision making about the remaining graves known to be under the pavement behind Baldwin Hall.

Further, as explained in the report itself, the committee must mention that the University followed some, but not all, of OSA’s advice about preserving family groupings. Admittedly, this

advice could in some cases only be followed up to a point without drastic repercussions to Baldwin Hall. Since some graves are partly under the foundation of the building, they cannot be removed unless the decision is made to tear down Baldwin Hall itself. In addition, there are other graves at the edges of the construction zone, and it is not yet known if some are related to persons already moved to Oconee Hill Cemetery. This is a case where available evidence indicates that much, but by no means the whole, of OSA recommendations have been “followed” (a misleading term in this context) by UGA.

The committee notes that OSA officials have repeatedly stated that UGA followed the law and complied with all procedures. This is true, and is not misleading--but only if it is understood that “followed the law and complied with all procedures” literally means “had discussions with OSA, acknowledged advice given, and freely chose a legal course of action.” To repeat: apart from very basic laws that govern the treatment of human remains (and that OSA does not administer or enforce), any recommendations, advice, or guidance from OSA is non-binding for UGA. Some statements from UGA officials have been understood as claiming that the University’s actions were compelled by this state agency. Any such claim is false.

Appendix I-E. Second Phase of DNA Research

In examining the timeline of events related to the Baldwin Hall remains, there is an interesting and significant inflection point that occurs right around the time controversy erupted after the ancestry of the remains was revealed on March 1, 2017, the secret reburial on March 7, 2017, and public reinterment ceremony on March 20, 2017. The inflection point is that official UGA communications about the Baldwin Hall remains shifts from the Office of University Architects (OUA) to the Office of the Vice President for Research (OVPR). After this there are few if any public statements from OUA and the center of gravity institutionally shifts clearly to OVPR. Precisely how this shift occurred is unclear, but it certainly appears related to commitments UGA made following the public embarrassment over the reburial process.

In the weeks or months prior to March 20, 2017, UGA decided that it needed to demonstrate its commitment to the concerns expressed by the local African American community by committing funds. But on March 20, 2017, the very day that the reinterment ceremony was held at Oconee Hill Cemetery, *UGA Today* released the following statement.¹⁰⁸

The University of Georgia will sponsor additional research to learn more about the lives of the 105 individuals whose gravesites were discovered during the construction of the Baldwin Hall expansion.

Following a paragraph stressing UGA consultation with OSA and describing the first phase of DNA testing on the Baldwin Hall remains, the statement continues:

In a continuing effort to learn more about the individuals, a second stage of university sponsored research will be coordinated by UGA’s Vice President for Research David

¹⁰⁸ <https://news.uga.edu/research-next-steps-baldwin-hall-site/>

Lee. This additional inquiry will build upon the preliminary analyses to understand better how these 105 individuals lived as well as their connections to the Athens community, including any ties to slavery.

“Since the first remains were discovered, the university has been actively seeking to learn as much as possible about these individuals,” said President Jere W. Morehead. “That is why we sponsored the initial research and have the information we have today. We hope this next step in the research process will lead to a more complete story of who these individuals were, how they lived, and how they came to rest on the Baldwin Hall site.”

In the coming weeks, Lee will assemble a team of faculty members with relevant expertise from across the university to develop a research plan to conduct the follow-up study.

“Expanding on the initial findings will require multidisciplinary collaborations from all across campus,” said Lee. “I look forward to this important work, which is in keeping with the university’s mission as a land-grant research institution.”

To continue the university’s ongoing efforts to collaborate with the Athens community, Morehead also will be meeting later this spring with members of the university, city officials, and other local leaders to explore new ways to work together around priorities of mutual interest, such as education and economic development.

“I have lived in Athens for more than 30 years, and I care deeply about this place and its future,” Morehead said. “As I reflect on the process and events surrounding the Baldwin Hall site, I see a great opportunity for the university and the community to reaffirm and expand our strong partnership.”

It can be seen as laudable that UGA made the decision to devote resources to further understanding the past as it pertains to the Baldwin Hall burials, and it is significant that this institution explicitly expressed support for research that included consideration of “any ties to slavery.” From this point on, UGA included mention of this research initiative in numerous subsequent official press releases and statements.

It is likewise notable that at the public forum “Conversation About Slavery at UGA and the Baldwin Site Burials” in the Richard Russell Special Collections Libraries on March 25, 2017, Vice President for Research David Lee stood up and announced this new round of research funding. For many at that meeting, it was likely the first time they had heard of this new research initiative, and it was met with mixed feelings: that on the one hand it was a positive development that UGA should commit funds to research in the wake of the mis-steps associated with reburial, but that the announcement was further evidence of institutional tone-deafness in assuming that the way to assuage community concerns about the treatment of the Baldwin Hall remains was to conduct further research without any effort at consultation with community members. The very presumption that research was a priority was thus seen as troubling. The first principle of community consultation relating to the treatment of human remains (including research) is that it

is descendants, and not the institutions who handled their ancestors remains, who should have first say in decisions about those remains. At this forum, Mr. Fred Smith summed up this sentiment when he stated that he was not opposed to research on the Baldwin Hall remains, “but I’m not there yet.”

In public communications about this research initiative, UGA and OVPR stressed that this research would entail engagement with faculty from across campus.¹⁰⁹

In the coming weeks, Lee will assemble a team of faculty members with relevant expertise from across the university to develop a research plan to conduct the follow-up study.

“Expanding on the initial findings will require multidisciplinary collaborations from all across campus,” said Lee. “I look forward to this important work, which is in keeping with the university’s mission as a land-grant research institution.” (*UGA Today*, 3.27.17)

Such a team was never assembled, and decisions about subsequent research support were made exclusively by Dr. David Lee. A month later, an article appearing in *Diverse Issues in Higher Education* stated that:¹¹⁰

The university is in the early stages of planning what [Associate Provost] Cook calls “an interdisciplinary, multidisciplinary research project.” The research project is borne out of the recognition that, “there is a real interest on the part of the community, as well as the university, to understand who these individuals were and how they lived, and to learn more about that time period in Athens,” as Cook put it.

On March 27, 2017, the same day that *UGA Today* announced the new research initiative, David Lee sent an email (the full text is provided in Appendix X) to the UGA Research Faculty listserv, reaching a broad array of UGA faculty, inviting suggestions for research related to the Baldwin Hall remains. To be clear, the language of this email, with its request that interested faculty email their ideas to Dr. Lee, could in no way have been construed by faculty to be a standard RFP (Request for Proposals). Those on the UGA Research Faculty listserv, which includes the majority of faculty at UGA, are well familiar with RFPs sent out by OVPR, which are generally very detailed in the kinds of information requested. *UGA Today* sent out a further solicitation for research ideas on April 3, 2017,¹¹¹ stating again that “Faculty members with *ideas for research* (emphasis added) are encouraged to contact Lee” via phone or email.

While it can again be seen as laudable that UGA reached out to faculty to draw on their expertise, this solicitation for research ideas was deeply concerning to at least some departments. The Anthropology Department, which has numerous faculty members with expertise in archaeology, cultural resource management, and community consultation, was particularly concerned.

¹⁰⁹<https://news.uga.edu/uga-plans-next-steps-in-research-on-baldwin-hall-site/>

¹¹⁰<https://diverseeducation.com/article/96068/>

¹¹¹<https://news.uga.edu/plans-moving-forward-on-baldwin-hall-site-research/>

In a document drafted by Anthropology Department faculty following the public criticism of their colleague Dr. Laurie Reitsema but never publicly circulated due to concerns about the impact on the department of criticizing upper administration, the concerns of the department were expressed as follows:

Though we are a diverse faculty with respect to research interests and expertise, members of our faculty – Archaeologists, Biological Anthropologists and Cultural Anthropologists – all have significant experience in dealing with different aspects of community engagement, cultural resource management, and the treatment of human remains. Further, our research is guided by professional standards and a code of ethics that reflects a long history of engagement with these issues and that reflect an effort to correct a legacy of abuse and injustice in our discipline. These standards apply not only in other places, but also close to home in the burial grounds that surround Baldwin Hall. For more than a year now, we have been concerned that as an institution, UGA was reproducing some of the same mistakes that have been made in our own disciplinary history and we have taken steps to share some of this perspective with senior administrators.

After the March 2017 community forum at the Russell Special Collections Library auditorium, at which Vice President for Research David Lee announced that UGA would provide research funding related to the Baldwin Hall site, we could see that UGA was making missteps that would result in controversy and bad publicity, particularly with respect to how UGA was communicating with community members. Our concerns were amplified when OVPR circulated an email to faculty shortly thereafter announcing research funding for the study of the Baldwin Hall remains, clearly without much effort to consult with African American descendants living in the community. This violates the standards of our discipline, and likely other disciplines and fields of practice that relate to historical preservation, cultural resource management, the treatment of human remains, community consultation, etc.

In response to the research solicitation from OVPR, the Anthropology Department invited David Lee to meet with Anthropology Faculty to openly discuss their concerns, and the department was appreciative of Dr. Lee's prompt response to their invitation to the department and the productive nature of the conversation that ensued on March 28, 2017.

During this meeting, Anthropology faculty with a diverse array of backgrounds expressed their concerns about soliciting research without adequate community input and a process in place to ensure that any research conducted truly reflected community concerns. Anthropology faculty further discussed the challenges of consultation/collaboration with communities, and how contemporary anthropological research is shaped by a long legacy of working with communities who have been subject to dispossession and erasure. Faculty also raised specific concerns, such as the continued use of the parking lot behind Baldwin Hall with cars parking on spots known to contain gravesites (a practice that has now ended, since these parts of the lot are no longer in use). The overall tone of the meeting was productive, and at the end of the meeting Dr. Lee

assured the Anthropology faculty that their concerns would be communicated to upper administration. Nevertheless, many Anthropology faculty came away from that meeting with continued concerns about the administration's understanding of issues related to community consultation.

One Anthropology faculty member, Dr. Laura German, followed up with David Lee in an email summarizing the concerns of several Anthropology faculty members but being careful not to claim that this represented a departmental consensus. Her letter nevertheless clearly summarized the concerns expressed at the meeting earlier that day.

Based on standards of professionalism as well as input from African American community members (in the press, at the panel and in person), we believe the first step in moving forward should be to establish a process of collaboration and decision-making together with African American community members and leaders. That would mean that UGA does not move forward with any research or other actions in the absence of this organizational mechanism being established and the ensuing dialogue taking place, as it would be in the context of such a forum that priorities would be identified. In recognition that the "community" in question is diverse and cannot be assumed to be fully represented by one or more individuals, any tentative decisions made through such a dialogue should be publicized more broadly (perhaps via local news outlets) to create awareness and provide a mechanism for wider input. Even if few local residents respond to this wider call for input, it would send an important and perhaps unprecedented message that UGA is attentive to the community's concerns. UGA should only proceed with research once these foundations have been laid, once research has been expressed as a need by those at the table, and after specific research topics and procedures have been agreed upon. My guess is that what comes out of such a process would point first and foremost to actions that lie beyond the realm of research per se, but that the process would also lead to the endorsement of any research that is to take place as a response to the concerns raised – and thus help initiate the trust-building process that has been so sorely lacking.

After including a paragraph outlining what other institutions are doing to acknowledge their legacies of slavery, Dr. German concludes the letter with a brief paragraph offering the support of Anthropology faculty, who "would be more than willing to serve as resource persons for such an initiative, along with faculty in African American Studies and History who have clearly exhibited leadership in starting this difficult conversation."

It should be recalled that in official communications about this research initiative, OVPR and UGA administrators provided additional information as to how the proposed research initiative would be developed. There are several mentions of interdisciplinary or multidisciplinary collaborations coordinated by OVPR.¹¹²

¹¹²Recall that in the March 20, 2017 *UGA Today* press release, it states that "In the coming weeks, Lee will assemble a team of faculty members with relevant expertise from across the university to develop a research plan to conduct the follow-up study."

As noted earlier, despite public statements that a committee of faculty would be assembled to evaluate proposals for research, no such committee was ever convened, and decisions about which proposals to fund were entirely in the hands of VP for Research David Lee. In any event, faculty members from Anthropology, History and African American Studies whose research interests were most directly related to issues associated with the Baldwin Hall remains waited for some sign of outreach from OVPR to provide feedback on research priorities or proposals, but it was not forthcoming.

Following OVPR's March 27 email to research faculty, Lee received a large number of responses; in keeping with the language of his email, which solicited research ideas, most of these were not particularly detailed. However, two more substantial proposals were submitted to OVPR:

1 – A proposal from Dr. Marguerite Madden (Center for Geospatial Analysis, Department of Geography) for the *Athens: Layers of Time* storymap

2 – A proposal from an interdisciplinary team of faculty from the History Department, Institute for African American Studies and College of Environment & Design: *Proposal from the Working Group for the Study of Slavery and its Legacies at the University of Georgia*.

OVPR also continued its support of the DNA analysis by Dr. Deborah Bolnick at the University of Texas-Austin.

The decision to fund two projects was announced in *UGA Today* on May 25, 2017:¹¹³

The University of Georgia will sponsor additional research to learn more about the lives of the individuals whose gravesites were discovered during the construction of the Baldwin Hall expansion. The work is two-pronged, consisting of further DNA analysis of the remains and a historical mapping study to learn more about the physical environment in which the individuals likely lived and worked.

Following the discovery of the remains in November 2015, the university immediately consulted with the State Archaeologist's Office for guidance. The university then commissioned a team of faculty, graduate students and undergraduate students in the anthropology department to explore ancestry, age, sex and other characteristics of the individuals. About one-third of the 105 gravesites yielded samples suitable for DNA analysis, and the researchers found that the vast majority of these individuals were of maternal African descent.

UGA Vice President for Research David Lee solicited further faculty input following the reinterment of the remains earlier this spring. He also consulted with leaders of the local African-American community.

¹¹³ <https://news.uga.edu/uga-announces-next-steps-for-research-about-baldwin-hall-site/>

“The university is committed to building upon the preliminary research and learning more about the lives of the men, women and children—who were likely slaves or former slaves, given the time period—whose remains were found adjacent to the Old Athens Cemetery on the Baldwin Hall site,” said Lee. “These additional research efforts will help us in that pursuit.”

The Office of Research will coordinate the next steps as follows:

1. The university will commission further DNA analysis to be conducted by researchers at the University of Texas at Austin who specialize in the analysis of ancient DNA. These researchers already have been engaged with UGA assistant professor Laurie Reitsema in the first phase of research, which provided information only about maternal ancestry. The additional analysis will provide information about paternal ancestry and thus, paint a comprehensive picture of ancestral origin. It also will confirm the sex of the individuals and determine whether any of those buried on the site were related to one another. This detailed analysis should be completed within the coming year.
2. The supplemental DNA information gained through Step 1 could provide the reference materials needed to determine if any living community members are related to the individuals whose remains were found at the Baldwin Hall site. The Office of Research is exploring the means by which to make this option available, as economically as possible, to local citizens wishing to pursue a possible DNA linkage.
3. Professor Marguerite Madden, director of UGA’s Center for Geospatial Research, will lead a team to create a dynamic time-series visualization of the cultural and natural landscape surrounding Baldwin Hall from the 1800s to the present. This project will incorporate historic maps, aerial photographs, satellite images and drone video to reveal more about the environment in which the individuals buried on the Baldwin Hall site lived and worked. In addition, the research will document the evolution of the cemetery and campus to present day. Most of this research will be done over the next several months.

Madden’s efforts will complement those of Southeastern Archeological Services Inc., which will be conducting archival research and mapping services using ground-penetrating radar to identify, to the extent possible via this technology, the boundaries of the Old Athens Cemetery. Southeastern’s mapping data will be included in the final report on the Baldwin Hall site that is required for submittal by the Office of University Architects to the State Archaeologist’s Office.

Conspicuously missing from the list of funded proposals was the proposal by History, African American Studies and CED to study the legacy of slavery at UGA. UGA has a long-established working group of scholars in History and African American Studies who are dedicated to the study of slavery. Both departments, and CED, have distinguished scholars whose work addresses histories of slavery from various perspectives, many of which bear directly on understanding the

issues that emerged in the Baldwin Hall case. The absence of this proposal was vexing, considering that UGA had devoted resources to recruit and attract top talent in this field.

The proposal the Slavery Working Group submitted evinced a sharp sense of community interests, as well as the group members' abilities to learn these interests and to work well with local citizens. Among other elements, it included plans for annual town hall meetings, for collaboration with existing community organizations and K-12 schools, for the collection and curation of oral histories, and for a multimedia archive that would host these oral histories together with a variety of other historical documents. Yet in early 2018, when David Lee, Vice President of Research, was asked at a Faculty Senate meeting whether faculty in African American Studies had contributed any views to his office, he clearly answered, "No." When this response was challenged, he promptly corrected it, stating that his office had received a very large and ambitious proposal that was "not germane" (his exact wording) to the research his office was authorizing. This committee has seen the proposal, and it has much to say about how to create the best possible relations between the University and local African American citizens, particularly regarding issues related to slavery. And since such relations will doubtless be necessary should genetic testing be undertaken successfully, to say that the proposal was "not germane" to, at minimum, the genetic research is deeply problematic.

This committee understands that some elements of the proposal went beyond research as strictly defined, but it is clear that OVPR could have been supportive of at least some elements of the proposal that were research focused. Other sections of this report address the broader question of whether UGA has done enough to acknowledge its historical relationship to slavery. Here, the question that seems pressing to several faculty members is why OVPR showed such general disregard for a proposal by distinguished faculty who have been most directly engaged in research related to slavery and made no effort to catalyze their expertise through support of their research. More generally, the committee notes there is considerable faculty concern that decisions about research support on this sensitive topic have been politicized in ways that diminish the academic reputation of the University of Georgia.

Appendix I-F. Controversy Regarding Faculty Senate Concerns about the Baldwin Hall Case

In February and March of 2018, controversy around the Baldwin Hall case erupted once again when UGA Anthropology faculty members brought their concerns to the Franklin College Faculty Senate.

In the months between the May 25, 2017 announcement of research that would be supported by OVPR and the February 20, 2018 presentation by Dr. Laurie Reitsema and Dr. Laura German in the Faculty Senate, questions continued to be raised by both community members and faculty members regarding the status and results of the second phase of DNA research sponsored by OVPR, and the other commitments that UGA had made after the March 2017 reburial controversy.

Dr. Reitsema, who had been involved with the first phase of this research for UGA, was growing increasingly frustrated with repeated delays in the return of DNA results. She felt she was not getting timely updates from the lab at UT Austin that was analyzing the Baldwin Hall DNA samples. According to Dr. Reitsema, analysis of DNA results should have taken about three months, but it eventually dragged on for the better part of a year, which nobody had anticipated. Dr. Reitsema wrote to David Lee on several occasions to communicate her frustrations and to seek his help intervening with the UT Austin lab to speed things up.

At an Anthropology faculty meeting on February 14, 2018 the department discussed these issues in recognition that they were nearing the one-year anniversary of the reburial of the Baldwin Hall human remains in Oconee Hill Cemetery. Around the time of the reburial, UGA had made a number of commitments pertaining to community engagement and research, but anthropology faculty were concerned about the lack of communication from the administration about steps subsequently taken. It was for this reason that they felt it would be useful to bring the issue to the Faculty Senate. In their discussions it was noted that the issues raised by the excavation and reburial of human remains at Baldwin Hall transcended the concerns of the Anthropology Faculty alone: that this was relevant to the University community as a whole, that there were faculty in other units who also had expertise relevant to addressing these issues, and that the Faculty Senate was thus the most appropriate venue. It should be noted that they came to this decision through consensus and not an actual vote. Nonetheless, when Dr. Reitsema and Dr. Laura German were put on the agenda for the February 20, 2018 Senate meeting, it can fairly be said that they were representing the will of the Anthropology faculty in doing so.

Here it must be stressed that it is the right of every member of the Franklin College faculty to be placed on the agenda for consideration by the Faculty Senate. Thus, whether or not they represented the Anthropology Department as a whole, these two professors had a right to appear before the Senate and to express their concerns.

Thus on February 20, 2018, having been placed on the agenda, Drs. Reitsema and German appeared before the Franklin College Faculty Senate to present their questions and concerns. At this point, the controversies surrounding the Baldwin Hall case had mostly come to the attention of the Departments of Anthropology and History, and the Institute for African American Studies, and most representatives at the February 20, 2018 meeting had little familiarity with what had transpired over the last few years in the Baldwin Hall case. Thus, for many Senators, the presentations made by Drs. Reitsema and German were the first steps in a learning process.

At the February 20, 2018 meeting, Drs. Reitsema and German prepared a Powerpoint presentation for the faculty senate which was given by Dr. Reitsema. The presentation was entitled *University Response to Community Concerns Regarding the Baldwin Hall Expansion: A Call for an Update & Further Progress*.¹¹⁴ As the title of their presentation suggests, the questions and concerns they raised pertained not simply to the delay in the reporting of DNA results or OVPR oversight of research related to Baldwin Hall, but to a broader set of questions about how UGA had conducted itself with reference to the Baldwin Hall remains.

¹¹⁴ See Appendix III.

Their presentation had four parts. First, they provided an overview of the discovery of the Baldwin Hall remains, their exhumation, DNA analysis, and the subsequent announcement of ancestry and reburial. Even in reporting this chain of events, they avoided language that could be interpreted as critical of UGA. Second, they described UGA's commitment to a second phase of research. Third, they reviewed a series of specific commitments UGA had first made in press releases on March 20 and May 25, 2017 and subsequently repeated in official UGA communications. Each of these commitments was followed by an action item requesting updates and clarifications. Dr. Reitsema's presentation ended with a list of six "Items for Consideration" as follows.

Request the Office of Research issue a public update on the following:

1. Nuclear DNA results to date, target completion date, and how these results will be made available to the public
2. What efforts have been made by the Office of Research to work with African American residents in Athens to pursue their possible genetic linkages with people from the historic cemetery (including who was consulted, and how and when will this proceed)
3. Request update on what has been learned so far by Prof. Marguerite Madden and her group
4. Whether and how ongoing research efforts address how the individuals exhumed from the cemetery lived, and ties to slavery
5. Whether the report by Southeastern Archeological Services will be made available to the public
6. How UGA is working with African American residents in Athens to explore new ways to collaborate in the community around priorities of mutual interest, as a direct response to concerns raised in the context of the Baldwin expansion

The minutes of the February 20, 2018 Faculty Senate meeting¹¹⁵ record, albeit in somewhat vague terms, what happened next. Dr. Reitsema had written to David Lee the day before informing him that she would be presenting this information to the Faculty Senate and suggesting that he might be interested in attending.

Vice-President for Research David Lee took the opportunity to provide an impromptu update on most of the goals, highlighting the progress made by Dr. Marguerite Madden in creating a digital, interactive map narrating the African American history of Athens, and explaining that the lab hired to analyze the DNA of the cemetery remains has not yet provided a report. A lively question and answer session followed, focusing on the need for a good, communicative relationship between the University and the community, and on the effort to ensure a timely completion of DNA analysis. As time was running short, President Bedell and Executive Committee Chair Rice proposed a return to this issue at the next Faculty Senate meeting.

¹¹⁵<https://franklin.uga.edu/sites/default/files/inline-files/2018%20faculty%20senate%20minutes%20Feb%2020%202018.pdf>

After the presentations described above, the sense of the Faculty Senate was that it needed additional information on the sequence of events in the Baldwin Hall case, and Dr. Reitsema and Dr. German were invited to the March 20, 2018 Faculty Senate meeting. In the meantime, on March 1, 2018, David Lee wrote¹¹⁶ to Faculty Senate President Dr. Mary Bedell to update her on Dr. Madden's "story maps" project and on the progress (or lack thereof) in the analysis of DNA results from UT Austin and Harvard. He further described efforts at community engagement and stated that the Southeastern Archeological Services report on Baldwin Hall would be a public record.

Dr. Reitsema and Dr. German, along with Dr. Julie Velásquez Runk from the Department of Anthropology, duly appeared at the March 20, 2018 Faculty Senate meeting with a second more detailed Powerpoint presentation entitled *Old Athens Cemetery and Baldwin Hall Expansion: Background Information for Discussion*.¹¹⁷ In this presentation they again provided a timeline of events and included maps that showed both excavated and remaining gravesites adjacent to Baldwin Hall. They provided a list of community concerns, specifically from the African American community in emails, editorials and meetings with administrators, as follows:

- Likelihood or certainty of this being an African American cemetery
- Histories being obfuscated and ignored
- Input on reburial plans were ignored
- Reburial plans not communicated

They next provided a list of recommendations that UGA faculty had been making since the Baldwin Hall remains had been discovered.

UGA faculty and other experts also recommended:

- Public communication
- DNA results prior to excavation and study
- Asking descendants about excavation and research
- Best practice for cemetery research
- Including descendants in reburial plans
- Communication should precede research planning

Dr. Reitsema next showed what is at stake for UGA by discussing the article "Buried History" that was published in the *Chronicle of Higher Education* in 2017; this article was highly critical of UGA's handling of the Baldwin Hall affair. The two Anthropology faculty members ended their presentation with a list of what they called "Unfinished Business?"

Working with interested African American community members on:

- Paternal DNA (nuclear DNA)
- Linking descendants with ancestors via DNA
- What descendants want to do about the remaining burial sites (beneath a surface lot)

¹¹⁶http://www.franklin.uga.edu/sites/default/files/Lee_David_030118_Baldwin_site_letter.pdf

¹¹⁷See Appendix IV.

- Reviewing the Southeastern Archeological Services Inc. report once drafted
- Agreeing how the “whole story” about the individuals exhumed from the site and their ties to slavery is to be told
- A process for UGA-community collaboration that is deemed adequate by community members who raised the concerns

In order to stress the need to engage in meaningful community consultation and to act in professionally responsible ways that require that anthropologists should never presume to speak *for* people, they had invited Mr. Fred Smith and Ms. Linda Davis to address the Faculty Senate and answer questions. Their comments are recorded in the March 20, 2018 minutes¹¹⁸ of the Faculty Senate as follows:

After hearing a pair of questions from Faculty Senators regarding the prospects of DNA testing of the Baldwin Hall remains, Prof. Reitsema and Senate President Bedell ceded the floor to two guests from the African American community of Athens, Fred Smith, Sr. and Linda Davis, to hear their perspectives on the issue. Mr. Smith stated that at the heart of the University’s failure to communicate well with the African American community was a problem of disrespect, including a failure to offer public recognition (e.g., in the form of an official apology) that it was wrong to destroy a cemetery to expand a building. Mr. Smith also stated that it remained unclear what the University’s commitment to the creation of a “story map” on the cemetery and seed grants for further research really entailed. Ms. Davis expressed her hope that UGA and the wider community will find a way to move forward, but she also confessed that she found it disheartening that there is still no record of the contribution made by African Americans to the building of Athens. She is concerned by the appearance of systemic disrespect by the University towards the African American community, and strongly proposes that the University show its commitment to doing further research on the history of African Americans on campus and in town.¹¹⁹

In stressing that the University should be consulting with the local community, these anthropology professors were merely reflecting the accepted professional and ethical norms of their discipline.

It was a document distributed at the meeting on March 20, 2018, written by Dr. Laura German in consultation with many of her colleagues in the Anthropology Department, that generated the greatest subsequent commentary. This three-page document, entitled *Issues of Concern Related to the Baldwin Hall Expansion*,¹²⁰ specified five issues being raised by community members and six points regarding UGA commitments, and it ended with five questions for consideration by the Faculty Senate. It was the section on UGA-community relations that subsequently led to the greatest controversy.

¹¹⁸https://franklin.uga.edu/sites/default/files/inline-files/2018%20faculty%20senate%20minutes%20of%20March%2020%202018_revised%20for%20name%20title%20errors_18APR2018.pdf

¹¹⁹Following this discussion, a motion was passed to create an ad hoc committee to address the concerns and questions raised, which eventually gave rise to a formal charge to the committee to produce the present report.

¹²⁰See Appendix V.

- Faculty of the Department of Anthropology do not feel that UGA acted in a responsible or ethical manner with respect to the handling of the Baldwin Hall expansion, e.g.:
 - While UGA received input by select African American community members, they made decisions unilaterally (e.g. deciding to relocate the cemetery; failure to communicate, much less agree on, the date and method of reburial); and
 - The administration failed to act on the professional norms of ethical practice for reburial with community consent, as recommended by the UGA contractor (Southeastern Archeological Services Inc.) and faculty members.

In citing UGA’s unilateral decision-making, Dr. German was reflecting the widely-cited comments of many community members discussed in preceding pages. In referring to ethical concerns, Dr. German was reflecting the norms that govern professional conduct in her discipline. Moreover, as a member of the faculty in Franklin College, Dr. German had not only the right but also the responsibility to bring her concerns to the Faculty Senate.

An article published the next day¹²¹ in the *Athens Banner-Herald* stated:

When faculty and administrators drive in to their jobs at the University of Georgia’s Baldwin Hall, they’re driving over the graves of slaves or former slaves.

But that’s just one part of a bigger issue a UGA faculty group is wrestling with as it considers how the university should confront and acknowledge slavery in its history, and whether UGA has followed through on promises made earlier, when remains from 105 graves were removed from the Baldwin site and reburied off campus. Other graves remain beneath the pavement beside the building, UGA anthropologists have found.

The group, the Faculty Senate of UGA’s Franklin College of Arts and Sciences, hasn’t taken any official steps on such concerns, but UGA’s response — or lack of it — was the main item on the agenda as the group met Tuesday.

Representatives of the UGA anthropology department — ironically located in Baldwin — say the university did not act responsibly or ethically in its handling of the expansion, and brought their concerns to the Faculty Senate in February.

The next day, the *Athens Banner-Herald* published the condemnatory letter¹²² by UGA Executive Director of Media Communications Greg Trevor discussed elsewhere in this report. The letter begins with the statement:

Profoundly disappointed. That is our reaction to a March 21 *Athens Banner-Herald* article that misrepresents the facts about the reinterment of remains discovered during the

¹²¹<https://www.onlineathens.com/news/20180321/faculty-group-presses-uga-on-its-slavery-history>

¹²²<https://www.onlineathens.com/news/20180322/uga-article-misrepresents-universitys-actions-concerning-reinterment-of-remains>. Trevor’s letter was originally posted as a response to the March 21 story in the *Athens Banner-Herald*, and republished the next day as a letter to the editor.

expansion of Baldwin Hall and the University of Georgia's efforts to treat these individuals with respect and dignity more than one year ago.

The letter goes on to repeat many of the talking points that had been part of the official UGA narrative described previously in this report, and notes that UGA provided funding to support the research by Dr. Reitsema. What many faculty found most alarming in this letter was the following paragraph singling out Dr. Reitsema for criticism:

Ironically, Dr. Reitsema is now one of the faculty members apparently criticizing the efforts of the institution — efforts to which she was a major contributor. To the contrary, the extent of the University's efforts demonstrate that its actions are in no way unilateral, irresponsible or unethical. It is a shame that some would now endeavor to mislead the campus and local community to believe otherwise.

The response to Trevor's letter was immediate. Most notable was a letter to the *Athens Banner-Herald* by UGA History faculty published on April 2, 2018¹²³ condemning Trevor's action:

The recent opinion piece in the *Athens Banner-Herald* by the University of Georgia's Executive Director for Media Communications does not reflect the institution we recognize and love to serve. We, like so many at UGA and in Athens, have been sorrowed by our university's repeated missteps in dealing with the Baldwin site, and the opinion piece was certainly one of them.

The spokesperson singles out junior anthropology professor Dr. Laurie Reitsema and accuses her of seeking to "mislead the campus and local community" in criticizing the university's handling of the discovery of a pre-Civil War burial ground underneath Baldwin Hall. In our view, to the contrary, Dr. Reitsema has been reasonable, responsible, and patient throughout the past year, and we are grateful to her for the important role she has played in her pursuit of historical truth regarding the remains of enslaved people found during the construction project.¹²⁴

The Faculty Senate called a Special Meeting on April 3 to discuss the university's actions. During this meeting Faculty Senate President Mary Bedell reviewed the sequence of events leading up to Trevor's letter, and she noted that many members of the faculty had written to her to express their concerns. That UGA would call out one of its faculty members for public criticism was seen by members of the Faculty Senate as totally inappropriate. Faculty Senate members recognized that faculty perspectives on this issue were tied to pressing questions of scholarly expertise, and to urgent concerns about the welfare not only of Franklin College faculty

¹²³<https://www.onlineathens.com/news/20180402/statement-on-baldwin-hall-from-university-of-georgia-history-department>

¹²⁴The Anthropology Department also drafted a letter defending the actions of their colleague, but in the end did not circulate it over concerns about administrative retribution directed at the department.

but also of the College and indeed the University as a whole. The minutes of this meeting¹²⁵ record that “At issue, President Bedell noted, was something arguably larger than the Baldwin Hall issue, namely the freedom of speech of the UGA faculty.” The Faculty Senate drafted a statement, several friendly amendments were offered at this meeting, and the statement passed unanimously. It states in part:

We also wish to state that the Faculty Senate of the Franklin College firmly supports the principle that faculty of all ranks at UGA have the right to express their opinions on matters of concern to their departments, their professional activities and any other aspects of academic life and pursuits. We strongly oppose efforts to discourage, discredit or dismiss the opinions of faculty at UGA when they are expressed in appropriate and professional forums.

President Bedell subsequently sent the Faculty Senate statement to UGA President Morehead, and he responded to President Bedell in an April 5, 2018 letter (see Appendix XII) in which he affirmed his support for

the ideals of academic freedom and the rights guaranteed by the First Amendment. As President, I remain committed to ensuring that the University of Georgia continues to support a free, full, and fair exchange of ideas and viewpoints.

It should also be noted that Vice President for Research David Lee was a guest at the April 3 Faculty Senate meeting, and twice expressed his opinion on matters being discussed, as recorded in the minutes of this meeting. In a discussion of Greg Trevor’s letter

Vice-President for Research David Lee suggested that Senators may be parsing details from the press exchange to fit their view of what transpired at the two Faculty Senate meetings on the Baldwin Hall issue.

Subsequently, in a discussion of the statement to be voted on by the Faculty Senate

Vice-President for Research David Lee expressed his wish that the final statement invite both sides in the debate, moving forward, to show respect for one another.

In response to this chain of events UGA received – for a second time – embarrassing national attention over its handling of the Baldwin Hall issue and its public criticism of a faculty member. An article published in the *Chronicle of Higher Education* on April 3, 2018 entitled “New Tensions Erupt Over Georgia’s Handling of Presumed Slave Remains” stated that “The recriminations at Georgia highlight how little the situation has progressed there over the past year.”¹²⁶

Appendix I-G. Concerns regarding the Baldwin Hall Memorial Advisory Task Force

¹²⁵https://franklin.uga.edu/sites/default/files/inline-files/2018%20faculty%20senate%20minutes%20April%203%202018_Special%20Session.pdf

¹²⁶See Appendix XIII

On May 31, 2018 *UGA Today* published an announcement that:¹²⁷

The University of Georgia will convene an advisory task force, composed of representatives from both the campus and local community, to evaluate options for design and location of a memorial at Baldwin Hall in tribute to those who were buried there.

The 18-member Baldwin Hall Memorial Advisory Task Force will be led by Dr. Michelle Garfield Cook, the university's Vice Provost for Diversity and Inclusion and Strategic University Initiatives.

As the *Atlanta Journal Constitution* reported on September 7, 2018,¹²⁸ the creation of this task force was “a move viewed by some as tacit admission that not enough had been done” in the wake of the negative publicity UGA had received from its mishandling of the Baldwin Hall reinterment and subsequent controversies that have been described in this report. The charge of the task force was limited to the matter of coming up with a design for the memorial and seeing it through to conclusion. This occurred on November 16, 2018 when the memorial, erected on the southwest side of Baldwin Hall, was dedicated. In this sense, the task force did its work very well. However, the creation of this task force reinforced some of the concerns of faculty and community members.

The first concern relates to the limited charge of the committee. UGA press releases made clear from the beginning that their charge was to design and oversee the creation of a memorial. What they were not charged to do was in any way promote a broader effort by UGA to acknowledge its ties to slavery. This was noted in the September 7, 2018 article in the *Atlanta Journal Constitution*:

The university says the scope of the task force's work was to develop a memorial, not to address the history of slavery on campus. But, Cook said, the memorial is not the end of the discussion around the topic of slavery.

“I think it will lead to a broader discussion,” said Cook.

A second issue of concern relates to a lack of transparency regarding the task force's work. According to the AJC's coverage:

The task force also operated with a certain measure of secrecy.

¹²⁷<https://news.uga.edu/uga-plans-for-memorial-at-baldwin-hall/>

¹²⁸<https://www.ajc.com/news/state--regional/after-missteps-and-criticism-uga-honor-memory-slaves-campus/dja1Kp61WvTrzr7BNsRkl/>

The AJC asked to review minutes from the group's meetings but Cook, who chaired the body, said no minutes were kept. An agenda for its first meeting made clear that confidentiality was a key to its work.

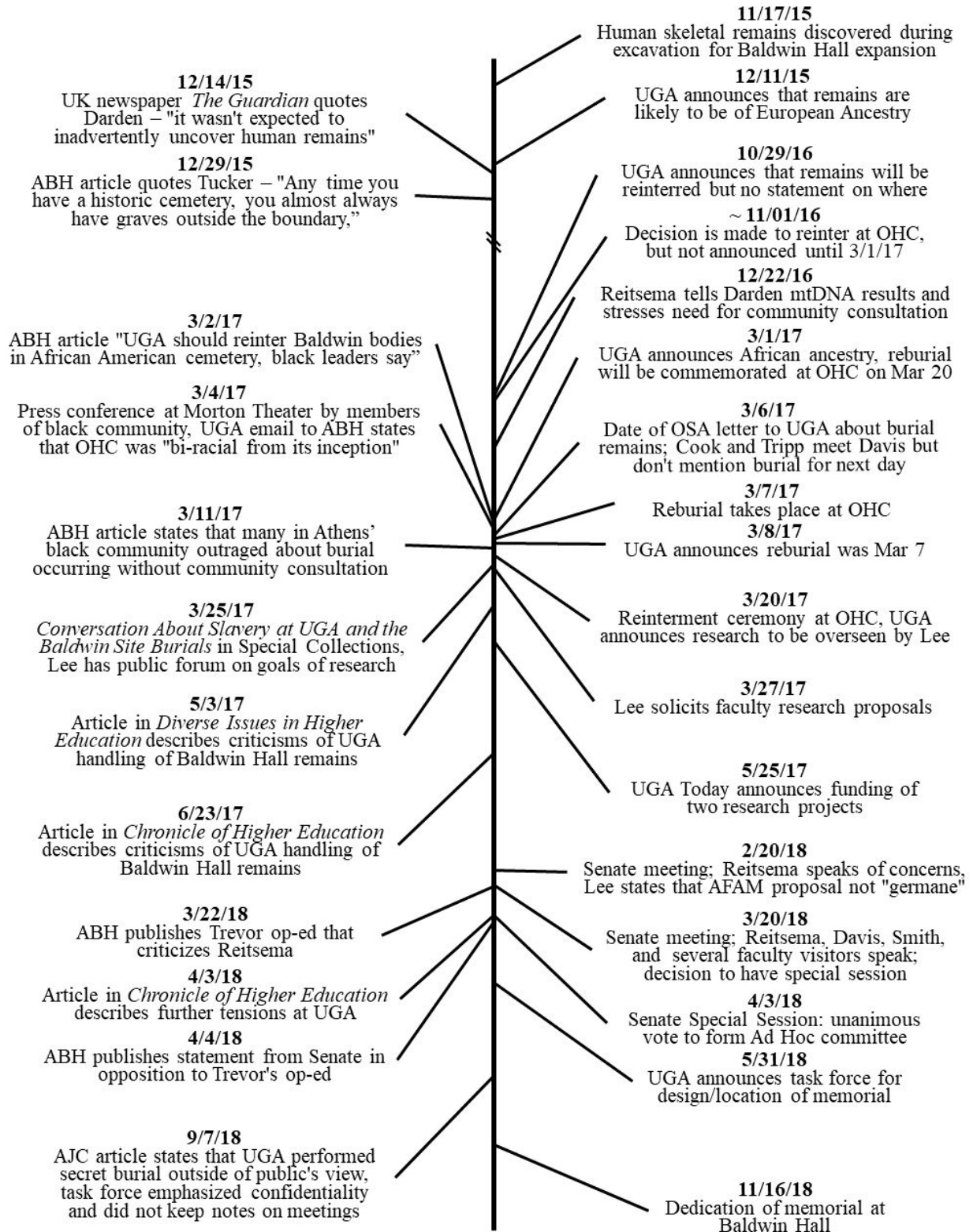
Perhaps the most concerning issue with respect to the task force was its membership. When the list of 18 members was announced on May 31, 2018, some expert faculty judged that UGA had again mishandled its path forward in acknowledging the Baldwin Hall burials. Certainly many of the members selected were seen as appropriate, and this committee does not see any reason to take issue with any of the specific individuals selected. Among faculty, the issue was not so much who was included as who was excluded. Conspicuously missing were any members of the community who been deeply involved in the Baldwin Hall case and had been critical of UGA: Mr. Fred Smith, who has done much to promote the documentation and recognition of African American history in Athens, Ms. Linda Davis, who has contributed significantly to the restoration of African American cemeteries in Athens, and Mr. Michael Thurmond, a distinguished former representative of Athens in the state legislature and an authority on Athens' African American history. Equally notable was the exclusion of UGA faculty with expertise relevant to the Baldwin Hall case: historians with expertise in the study of slavery; faculty from African American Studies whose scholarship focuses on legacies of slavery, reconstruction, Jim Crow and civil rights; anthropologists with expertise in cultural resource management and community consultation, and others. This exclusion was noted in the September 7, 2018 *Atlanta Journal Constitution* article:

The task force and the memorial are Morehead's best effort so far to make amends. But the task force has already received criticism for being exclusionary. Smith was not invited to join nor were any members of the University's African American Studies program or history faculty.

To experts and others, the exclusions suggested a desire not to venture into controversial territory--in this case, by limiting the degree to which the legacy of slavery would be addressed.

Appendix II: Timeline of events - Nov 17, 2015 to Nov 16, 2018

(see the following page for explanations of names and abbreviations)



Abbreviations used in Appendix II

- Athens Banner Herald (ABH)
- Atlanta Journal Constitution (AJC)
- Institute for African American Studies (AFAM)
- Oconee Hill Cemetery (OHC)

Full names and affiliations of individuals in Appendix II

- Dr. Michelle Cook, Vice Provost for Diversity and Inclusion (UGA)
- Ms. Gwynne Darden, Associate Vice President for Facilities Planning (UGA)
- Ms. Linda Davis, member of Athens black community, member of Clarke County Board of Education
- Dr. David Lee, Vice President for Research (UGA)
- Dr. Laurie Reitsema, Associate Professor, Department of Anthropology (UGA)
- Mr. Fred Smith, Sr., member of Athens black community, co-chair of Athens Area Black History Committee
- Mr. Greg Trevor, Executive Director of Media Communications (UGA)
- Mr. Arthur Tripp, Assistant to President Morehead (UGA)
- Dr. Bryan Tucker, State Archaeologist (State of Georgia)

Appendix III: February 20, 2017 Faculty Senate Powerpoint Presentation: *University Response to Community Concerns Regarding the Baldwin Hall Expansion: A Call for an Update & Further Progress*

University response to community concerns regarding the Baldwin Hall expansion: *A Call for an Update & Further Progress*

February 20, 2018

Laurie Reitsema: reitsema@uga.edu

Laura German: lgerman@uga.edu

Overview

- 2015: Discovery of gravesites during the laying of the foundation for the expansion of Baldwin Hall
- 2016: exhumation (105 gravesites) & maternal DNA analysis (29 individuals, most or all of African ancestry)
- 2017: announcement of maternal genetic ancestry & reburial in Oconee Hill Cemetery
- The cemetery: Late 1700s-late 1800s, African American



Baldwin Hall, North Campus

UGA second phase of research and engagement

- March 20, 2017 press release

Campus News
 UGA, community honor individuals whose remains were reinterred in Oconee Hill Cemetery
 March 20, 2017



<https://news.uga.edu/uga-community-honor-individuals-whose-remains-were-reinterred-in-oconee/>

- May 26, 2017 press release

Campus News
 UGA announces next steps for research about Baldwin Hall site
 May 25, 2017

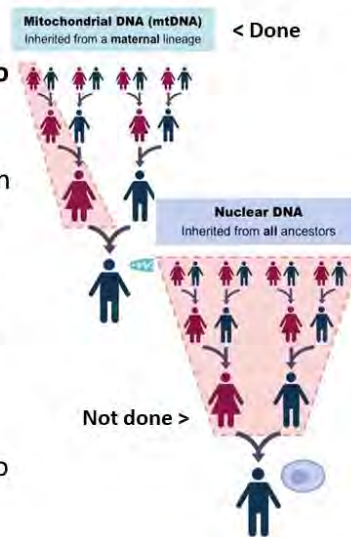
Athens, Ga. — The University of Georgia will sponsor additional research to learn more about the lives of the individuals whose gravesites were discovered during the construction of the Baldwin Hall expansion. The work is two-pronged, consisting of further DNA analysis of the remains and a historical mapping study to learn more about the physical environment in which the individuals likely lived and worked.

<https://news.uga.edu/uga-announces-next-steps-for-research-about-baldwin-hall-site/>

UGA Commitments (May 25 2017 press release)

1. **“The university will commission further DNA analysis to be conducted by researchers at the University of Texas at Austin who specialize in the analysis of ancient DNA.** These researchers already have been engaged with UGA assistant professor Laurie Reitsema in the first phase of research, which provided information only about maternal ancestry. The additional analysis will provide information about paternal ancestry and thus, paint a comprehensive picture of ancestral origin. It also will confirm the sex of the individuals and determine whether any of those buried on the site were related to one another. **This detailed analysis should be completed within the coming year.”**

Action items: **Request update** on this DNA research including results to date, and **how these results will be made available to the public.**



UGA Commitments (May 25 2017 press release)

2. “The supplemental DNA information gained through Step 1 could provide the reference materials needed to determine if any living community members are related to the individuals whose remains were found at the Baldwin Hall site.

The Office of Research is exploring the means by which to make this option available, as economically as possible, to local citizens wishing to pursue a possible DNA linkage.”

Action item: **Request update** regarding efforts made by the Office of Research to help local citizens pursue their possible genetic linkage with people exhumed from the cemetery (Who was consulted, and how and when will this proceed?)

UGA Commitments (Mar 20 & May 25 2017 press releases)

3a. “today, the university announced that it will sponsor a **second stage of interdisciplinary research ... to understand better how these 105 individuals lived as well as their connections to the Athens community, including any ties to slavery.”**

“Professor Marguerite Madden, director of UGA’s Center for Geospatial Research, will lead a team to create a dynamic time-series visualization of the cultural and natural landscape surrounding Baldwin Hall from the 1800s to the present. This project will ... reveal more about **the environment in which the individuals buried on the Baldwin Hall site lived and worked** [and] document **the evolution of the cemetery and campus to present day**. Most of this research will be done over the next several months.”

Action items: (1) Request update on what has been learned so far by Prof. Marguerite Madden and her group; (2) Clarify whether and how ongoing research efforts address how the individuals lived and ties to slavery.

UGA Commitments (May 25 2017 press release)

3b. “Madden’s efforts will complement those of **Southeastern Archaeological Services Inc.**, which **will be conducting archival research and mapping** services using ground-penetrating radar to identify, to the extent possible via this technology, the boundaries of the Old Athens Cemetery. Southeastern’s mapping data will be included in the **final report on the Baldwin Hall site** that is required for submittal by the Office of University Architects to the State Archaeologist’s Office.”

Action item: Request that UGA ensure **the report by Southeastern Archaeological Services be made public** and readily accessible outside the UGA community.

UGA Commitments (March 20 2017 press release)

4. “Earlier today, the university announced ... that it will **work with local leaders to explore new ways to collaborate in the community** around priorities of mutual interest, such as education and economic development.”

Action item: Communicate publicly **how UGA is working with local African American leaders** to explore new ways to collaborate in the community around priorities of mutual interest, as a direct response to concerns raised in the context of the Baldwin expansion.

Items for consideration:

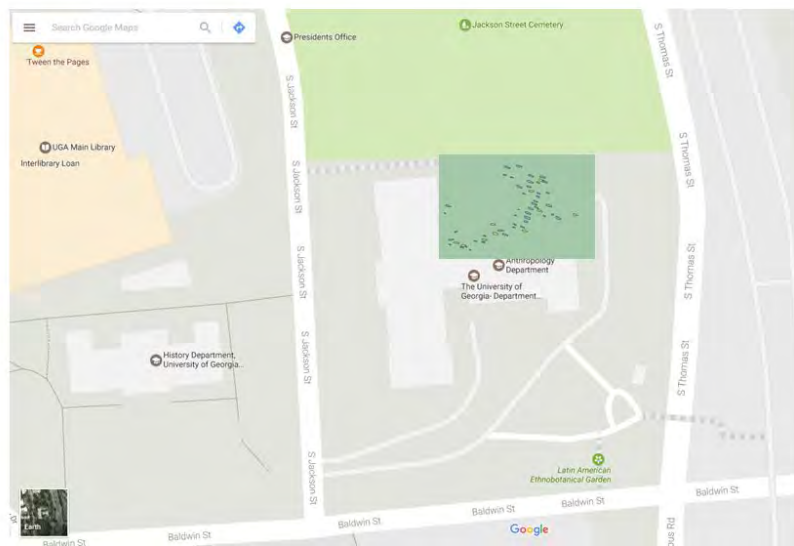
Request the Office of Research issue a **public update** on the following:

1. **Nuclear DNA** results to date, target completion date, and how these results will be made available to the public
2. What efforts have been made by the Office of Research to work with African American residents in Athens to pursue their **possible genetic linkages** with people from the historic cemetery (including who was consulted, and how and when will this proceed)
3. Request update on **what has been learned so far** by Prof. Marguerite Madden and her group
4. Whether and how ongoing research efforts address **how the individuals exhumed from the cemetery lived, and ties to slavery**
5. Whether the report by Southeastern Archaeological Services will be made **available to the public**
6. **How UGA is working with African American residents** in Athens to explore new ways to collaborate in the community around priorities of mutual interest, as a direct response to concerns raised in the context of the Baldwin expansion

1938 construction of Baldwin Hall A Pictorial History of the University of Georgia, (Boney 2000)



2016 Map



Old Athens Cemetery and Baldwin Hall Expansion: Background Information for Discussion

March 20, 2018
Laurie Reitsema: reitsema@uga.edu
Laura German: lgerman@uga.edu
Julie Velásquez Runk: julievr@uga.edu



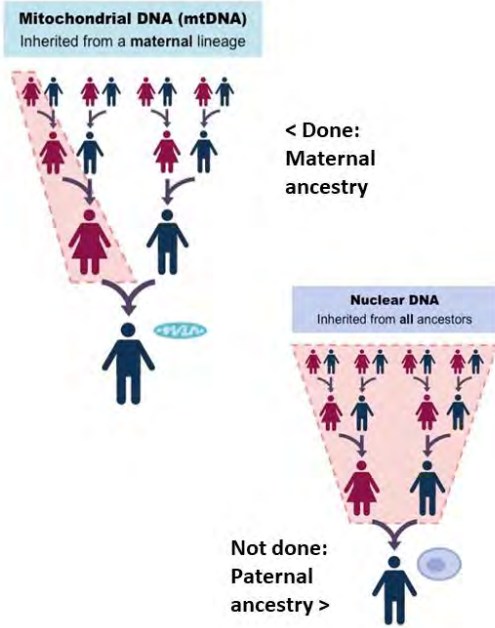
Baldwin Hall, North Campus



Jackson St. Cemetery – Fenced; visible grave markers

Former Baldwin Hall parking lot
Site of 2015-2017 renovation and excavation
Gravesites were underneath

- 2015: Discovery of gravesites during the laying of the foundation for the expansion of Baldwin Hall
- 2016: exhumation (105 gravesites)
- The cemetery: Late 1700s-late 1800s, African American



- 2016: 22 months ago, UGA pays for maternal and paternal DNA analysis
- 2016: maternal DNA analysis completed (29 individuals, most or all of African ancestry)
- 2017: announcement of maternal genetic ancestry & reburial in Oconee Hill Cemetery
- 2018: paternal DNA analysis not complete



Jackson St. Cemetery – Fenced; visible grave markers

Former Baldwin Hall parking lot
Site of 2015-2017 renovation and excavation
Gravesites were underneath



Athens African American community members repeatedly raised concerns

Communications:

- Emails (2015)
- Editorials (2016)
- Meetings with administrators (2016 and 2017)

Main points:

- Likelihood or certainty of this being an African American cemetery
- Histories being obfuscated and ignored
- Input on reburial plans were ignored
- Reburial plans not communicated

UGA faculty and other experts also recommended:

- Public communication
- DNA results prior to excavation and study
- Asking descendants about excavation and research
- Best practice for cemetery research
- Including descendants in reburial plans
- Communication should precede research planning



<Chronicle of Higher Education article using UGA as an example of what *not* to do

Unfinished business?

Working with interested African American community members on:

- Paternal DNA (nuclear DNA)
- Linking descendants with ancestors via DNA
- What descendants want to do about the remaining burial sites (beneath a surface lot)
- Reviewing the Southeastern Archaeological Services Inc. report once drafted
- Agreeing *how* the “whole story” about the individuals exhumed from the site and their ties to slavery is to be told
- A process for UGA-community collaboration that is deemed adequate by community members who raised the concerns

Background

- 2015: Discovery of gravesites during the laying of the foundation for the expansion of Baldwin Hall
- 2016: exhumation (105 gravesites) & maternal DNA analysis (29 individuals, most or all of African ancestry)
- 2017: announcement of maternal genetic ancestry & reburial in Oconee Hill Cemetery
- The cemetery: Late 1700s-late 1800s, African American

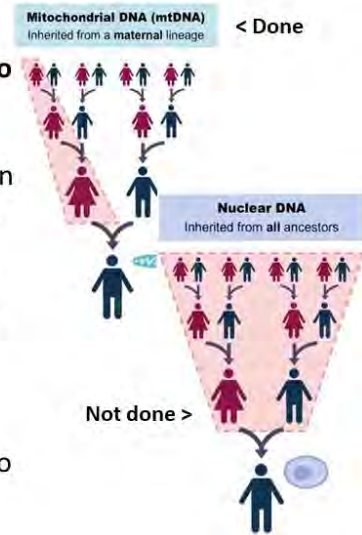


Baldwin Hall, North Campus

UGA Commitments (May 25 2017 press release)

1. **“The university will commission further DNA analysis to be conducted by researchers at the University of Texas at Austin who specialize in the analysis of ancient DNA.** These researchers already have been engaged with UGA assistant professor Laurie Reitsema in the first phase of research, which provided information only about maternal ancestry. The additional analysis will provide information about paternal ancestry and thus, paint a comprehensive picture of ancestral origin. It also will confirm the sex of the individuals and determine whether any of those buried on the site were related to one another. **This detailed analysis should be completed within the coming year.”**

Action items: **Request update** on this DNA research including results to date, and **how these results will be made available to the public.**



UGA Commitments (May 25 2017 press release)

2. “The supplemental DNA information gained through Step 1 could provide the reference materials needed to determine if any living community members are related to the individuals whose remains were found at the Baldwin Hall site.

The Office of Research is exploring the means by which to make this option available, as economically as possible, to local citizens wishing to pursue a possible DNA linkage.”

Action item: **Request update** regarding efforts made by the Office of Research to help local citizens pursue their possible genetic linkage with people exhumed from the cemetery (Who was consulted, and how and when will this proceed?)

UGA Commitments (Mar 20 & May 25 2017 press releases)

3a. “today, the university announced that it will sponsor a **second stage of interdisciplinary research ... to understand better how these 105 individuals lived as well as their connections to the Athens community, including any ties to slavery.”**

“Professor Marguerite Madden, director of UGA’s Center for Geospatial Research, will lead a team to create a dynamic time-series visualization of the cultural and natural landscape surrounding Baldwin Hall from the 1800s to the present. This project will ... reveal more about **the environment in which the individuals buried on the Baldwin Hall site lived and worked** [and] document **the evolution of the cemetery and campus to present day**. Most of this research will be done over the next several months.”

Action items: (1) Request update on what has been learned so far by Prof. Marguerite Madden and her group; (2) Clarify whether and how ongoing research efforts address how the individuals lived and ties to slavery.

UGA Commitments (May 25 2017 press release)

3b. “Madden’s efforts will complement those of **Southeastern Archaeological Services Inc.**, which **will be conducting archival research and mapping** services using ground-penetrating radar to identify, to the extent possible via this technology, the boundaries of the Old Athens Cemetery. Southeastern’s mapping data will be included in the **final report on the Baldwin Hall site** that is required for submittal by the Office of University Architects to the State Archaeologist’s Office.”

Action item: Request that UGA ensure **the report by Southeastern Archaeological Services be made public** and readily accessible outside the UGA community.

UGA Commitments (March 20 2017 press release)

4. “Earlier today, the university announced ... that it will **work with local leaders to explore new ways to collaborate in the community** around priorities of mutual interest, such as education and economic development.”

Action item: Communicate publicly **how UGA is working with local African American leaders** to explore new ways to collaborate in the community around priorities of mutual interest, as a direct response to concerns raised in the context of the Baldwin expansion.

Items for consideration:

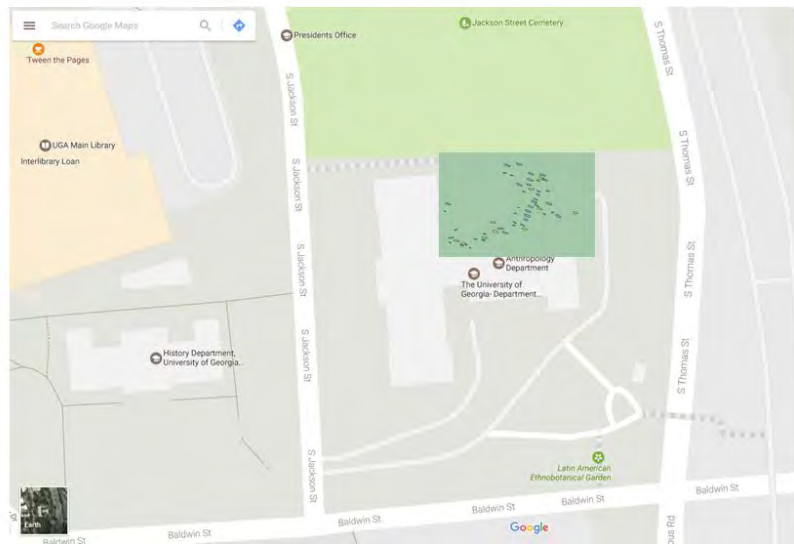
Request the Office of Research issue a **public update** on the following:

1. **Nuclear DNA** results to date, target completion date, and how these results will be made available to the public
2. What efforts have been made by the Office of Research to work with African American residents in Athens to pursue their **possible genetic linkages** with people from the historic cemetery (including who was consulted, and how and when will this proceed)
3. Request update on **what has been learned so far** by Prof. Marguerite Madden and her group
4. Whether and how ongoing research efforts address **how the individuals exhumed from the cemetery lived, and ties to slavery**
5. Whether the report by Southeastern Archaeological Services will be made **available to the public**
6. **How UGA is working with African American residents** in Athens to explore new ways to collaborate in the community around priorities of mutual interest, as a direct response to concerns raised in the context of the Baldwin expansion

1938 construction of Baldwin Hall A Pictorial History of the University of Georgia, (Boney 2000)



2016 Map



Appendix V: March 20, 2017 document distributed at Faculty Senate meeting: *Issues of Concern Related to Baldwin Hall Expansion*

Issues of Concern Related to the Baldwin Hall Expansion

Issues of concern are related to three distinct issues: the overall relationship between UGA and the local African American community¹ surrounding the destruction of a portion of Old Athens cemetery where enslaved people were buried; issues raised by members of the African American community; and the extent to which commitments publicized by UGA have been adequately addressed.

UGA-community relations

- Faculty of the Department of Anthropology do not feel UGA acted in a responsible or ethical manner with respect to the handling of the Baldwin Hall expansion, e.g.:
 - While UGA received input by select African American community members, they made decisions unilaterally (e.g. deciding to relocate the cemetery; failure to communicate, much less agree on, the date and method of reburial); and
 - The administration failed to act on the professional norms of ethical practice for reburial with community consent, as recommended by the UGA contractor (Southeastern Archaeological Services Inc.) and faculty members.

Concerns Raised by Community Members

Members of the local African American community expressed the following concerns and priorities in the context of the Baldwin Hall expansion and reburial:

1. That the remains of individuals found during the Baldwin Hall expansion be treated “with dignity”, such as leaving the cemetery in place, or otherwise transporting and reburying remains as you would someone recently deceased and designating the Baldwin Hall site as a memorial to their lives;²
2. That “the whole story” of the *individuals* buried at the site be told;
3. That DNA analysis for paternal ancestry be carried out;
4. Once maternal and paternal DNA results are determined, that a mechanism be established for providing interested community members the option of testing for a genetic linkage with people exhumed from the cemetery;
5. Other areas of the African American cemetery continue to be used as a parking lot.

¹ This community is emphasized for two reasons: possible ties of ancestry to those whose remains were found at the Baldwin Hall site; and racial and historical identities that link living members of this community with the individuals buried at this site and/or their life experiences (e.g. of slavery).

² It is only possible to know what this means in any given instance through the kind of process for UGA-community engagement and joint decision-making that was lacking. However, through engagement with African American community members, we have since come to understand this as including these three items. The second item includes, although may not be limited to, reburial in an historically Black cemetery; transportation not in a Penske truck but in a hearse; and reburial in individually marked graves. While many of these actions are no longer possible, it remains possible to treat the site as a public memorial rather than a parking lot, and to take responsibility for mistakes made to date.

UGA Communication

UGA communicated publicly about the Baldwin Hall expansion on several occasions, in some cases committing to further action and in others simply stating what had been done. These include the following:

- That a final report on the Baldwin Hall site will be produced by Southeastern Archaeological Services Inc., and will include “archival research and mapping services using ground-penetrating radar to identify, to the extent possible via this technology, the boundaries of the Old Athens Cemetery” (May 26, 2017). It is unclear whether this will be release to the public.
- That UGA “will work with local leaders to explore new ways to collaborate in the community around priorities of mutual interest, such as education and economic development” (May 26, 2017). It is unclear whether any progress has been made to this effect.
- That UGA “will sponsor a second stage of interdisciplinary research ... to understand better how these 105 individuals lived as well as their connections to the Athens community, including any ties to slavery” (Mar 20, 2017). Dr. Madden’s project does not seem to include research on these individuals and their ties to slavery, and it is unclear whether any other future plans will achieve this.
- That the Office of Research is “exploring the means by which to make this option available, as economically as possible, to local citizens wishing to pursue a possible DNA linkage” (May 26, 2017). It is unclear whether there are any concrete plans for this, or whether such plans are deemed acceptable by interested community members.
- That UGA will “commission further DNA analysis to be conducted by researchers at the University of Texas at Austin... The additional analysis will provide information about paternal ancestry and ... confirm the sex of the individuals and determine whether any of those buried on the site were related to one another. This detailed analysis should be completed within the coming year” (May 26, 2017). This process seems to be stalled.
- That UGA would carry out a campus research initiative on “the individuals whose remains were recently discovered during the expansion of Baldwin Hall” aimed at “better understanding the lives of these individuals and how they came to be buried at the Baldwin Hall site” (commitment by President Morehead, communicated to the faculty via a March 27 email from OVPR). The project funded, while a highly worthwhile pursuit, does not seem to address the intention of understanding the lives of the individuals buried at the site.

Questions

Questions for consideration of the Franklin College Faculty Senate include the following:

1. Should UGA be asked to establish and communicate a concrete timeframe for finalizing the nuclear DNA analysis?
2. Should UGA be asked to hold a public forum with African American community members to agree on a process for testing for family genetic links to people whose DNA was recovered from the Old Athens Cemetery?

3. Should UGA establish a process of collaboration and decision-making together with African American community members and leaders as a mechanism for informing future actions with respect to the African American cemetery surrounding Baldwin Hall, in line with cultural resource management laws and professional standards³.
4. Should UGA establish a transparent and inclusive mechanism for working with local African American leaders to explore new ways to collaborate in the community around priorities of mutual interest, such as education and economic development, to advance commitments made in this regard by UGA?⁴
5. Should UGA be asked to do anything to make the report by Southeastern Archaeological Services Inc. available to the public, other than submitting it to the Office of the State Archaeologist?
 - 5b. Should UGA support an effort to translate the report for the public in the form of a digital or physical museum exhibit, in collaboration with members of the African American community, to communicate all that has been learnt about the *individuals* whose remains were discovered at the site, and *their lives*?

³ This was suggested in the context of an Anthropology Department faculty meeting attended by Dr. David Lee in Spring of 2017, and on other occasions involving correspondence between those with relevant expertise and the UGA administration.

⁴ <https://news.uga.edu/uga-community-honor-individuals-whose-remains-were-reinterred-in-ocone/>

Appendix VI: March 20, 2017 Baldwin Hall Timeline initially distributed at Faculty Senate meeting

**Baldwin Hall Timeline
(DRAFT)**

2015

- November 11 – Construction crew found human remains
- December 14 – Guardian article discussing discovery of the remains of up to 27 people, and the interview with Gwynne Darden, the University of Georgia’s assistant vice-president for facilities, who indicated that a consultant’s visual inspection indicated the human remains appeared to be of European descent.¹
- December 16 – Mr. Fred Smith emailed UGA to ask if these were slave remains, and they promised to look into it. Mr. Smith subsequently met with community relations person at UGA, when he suggested the reburial needed to involve a ceremony, with a minister and community involvement.

2016

- March – Samples sent to UT Austin for pilot DNA analysis.
- May – Payment to UT Austin for mtDNA and nuclear DNA analyses.
- Ongoing – DNA analyzed throughout 2016 in several waves, starting with mtDNA; additional waves of excavation (three or four in 2016); osteological study by Dr. Reitsem in Baldwin Hall (complete in January 2017).

2017

- January – DNA results come back suggesting maternal African American ancestry for all but two of the 30 individuals from whom DNA could be recovered and analyzed.
- March 1 – UGA News Service announces 105 gravesites were identified, and “the reburial will take place in Oconee Hill Cemetery and will be commemorated with a ceremony on March 20”².
- March 4 – African American community leaders hold press conference at Morton Theatre “to express their displeasure with the way UGA has handled the remains and demand input into what is done with them”¹.
- March 6 – Ms. Linda Davis and Ms. Kimberly Davis had dinner with Dr. Michelle Cook, Mr. Arthur Tripp Jr. and Ms. Allison McCullick to express their concerns, and no mention was made of the planned March 7 reburial.
- March 7 – Reburial of remains to Oconee Hill Cemetery without informing African American community members. UGA reportedly “loaded boxes containing them into a rental box truck and—without telling anyone, and with the gates locked—reinterred them at Oconee Hill Cemetery”³.

¹ <https://www.theguardian.com/us-news/2015/dec/14/bodies-baldwin-hall-university-of-georgia-27-graves-construction>

² <http://www.onlineathens.com/local-news/2017-03-01/university-georgia-reinter-remains-individuals-discovered-baldwin-hall>

³ <http://www.flagpole.com/news/city-dope/2017/03/15/uga-has-already-reburied-the-remains-found-at-baldwin-hall>

- March 8 – UGA press release entitled, “UGA to reinter remains of individuals discovered in Baldwin Hall construction” states that the remains had already been reinterred⁴: *“Following the guidance of the State Archaeologist’s Office, the University of Georgia has reinterred the remains of individuals discovered during the construction of the Baldwin Hall expansion. The reburial will be commemorated with a ceremony at the gravesite at Oconee Hill Cemetery on Monday, March 20. In total, 105 gravesites were identified.”*
- March 13 – Press release stating the human remains were “being reinterred”: *“Following the guidance of the State Archaeologist’s Office, this spring the University of Georgia is reintering the remains of individuals discovered during the construction of the Baldwin Hall expansion. The reburial is taking place in Oconee Hill Cemetery and will be commemorated with a ceremony on March 20.”*⁵
- March 20 – Press release covering the ceremony, which states, *“The university was informed by the State Archaeologist’s Office that reinterment in Oconee Hill Cemetery was the most appropriate approach.”*
- March 25 – *“A Conversation about Slavery and the Baldwin Site Burials”* public forum at the Russell Special Collections Library draws approximately 350 attendees. Panelists include UGA faculty and members of the broader Athens community.
- March 27 – UGA communicates *“The University of Georgia will sponsor additional research to learn more about the lives of the 105 individuals whose gravesites were discovered during the construction of the Baldwin Hall expansion.”* It also states, *“this additional inquiry will build upon the preliminary analyses to understand better how these 105 individuals lived as well as their connections to the Athens community, including any ties to slavery.”*
- May 4 – Wreath-laying ceremony to commemorate the lives of those buried at Baldwin Hall, followed by a march to the flagpole to celebrate the “Day of Jubilee” (the day that slaves were freed in Athens).
- May 9 – Anthropology professor Laurie Reitsema gives a public talk about the cemetery, its history, and results of the osteological study, at the Athens-Clarke County Public Library.
- May 25 – UGA announces further research on the site: *“The University of Georgia will sponsor additional research to learn more about the lives of the individuals whose gravesites were discovered during the construction of the Baldwin Hall expansion. The work is two-pronged, consisting of further DNA analysis of the remains and a historical mapping study to learn more about the physical environment in which the individuals likely lived and worked.”*⁶
- May 26 – UGA press release states: (i) a final report on the Baldwin Hall site will be produced by Southeastern Archaeological Services Inc., which will include “archival research and mapping services using ground-penetrating radar to identify, to the extent possible via this technology, the boundaries of the Old Athens Cemetery”; (ii) UGA “will work with local leaders to explore new ways to collaborate in the community around priorities of mutual interest, such as education and economic development”; (iii) UGA will “commission further DNA analysis to be conducted by researchers at the University of Texas at Austin... The

⁴ <https://news.uga.edu/uga-reinter-remains-discovered-baldwin-hall-construction/>

⁵ <https://news.uga.edu/remains-of-individuals-discovered-during-construction-being-reinterred/>

⁶ <https://news.uga.edu/uga-announces-next-steps-for-research-about-baldwin-hall-site/>

additional analysis will provide information about paternal ancestry and ... confirm the sex of the individuals and determine whether any of those buried on the site were related to one another. This detailed analysis should be completed within the coming year"; and (iv) The Office of Research is "exploring the means by which to make this option available, as economically as possible, to local citizens wishing to pursue a possible DNA linkage".

2018

Ongoing - Southeastern is actively preparing a comprehensive report, which includes a chapter for Dr. Reitsema on the osteological findings.

February - UT Austin reports to Dr. Reitsema that they are continuing to analyze nuclear DNA.

February 20 – Dr. David Lee informs Franklin Faculty Senate that he has not followed up with UT Austin since May, 2017 and suggests they are having difficulty analyzing the nuclear DNA.

To our knowledge, there has been no further communication to community members or the public on the following:

- The status of the DNA analysis;
- Efforts to make genetic testing available to possible local descendants;
- What is being done to understand better how these 105 individuals lived as well as their connections to the Athens community, including any ties to slavery, and whether the report by Southeastern Archaeological Services Inc. will be part of that effort;
- How UGA is collaborating in the community around priorities of mutual interest, as a direct response to concerns raised by African American community members surrounding the Baldwin Hall expansion.

Appendix VII: Charge of Ad Hoc Committee

Committee Chair: Christopher Pizzino

The duties and functions of the Franklin Faculty Senate Ad Hoc Committee on the Baldwin Hall Expansion shall be:

I) Provide, as a report to the Senate and the Dean by **October 15, 2018**, assessments and/or recommendations on the following:

A) What aspects, if any, of the presentations, handouts, and discussions from the February and March 2018 Senate meetings regarding the Baldwin Hall expansion are relevant to the charge of the Franklin Faculty Senate.

B) Concerns (past, present, and future) held by faculty of Franklin College regarding the Baldwin Hall expansion.

C) Depending on the outcomes of 1a and 1b, a method to assess concerns (past, present, and future) held by community members in Athens, GA and by UGA administrators regarding the Baldwin Hall expansion.

1) If a suitable method is approved by the Senate, then that method would be implemented and the results presented in a report to the Senate and the Dean by February 15, 2019.

II) Provide, as a report to the Senate and the Dean by **March 15, 2019**, assessments and recommendations on the following:

A) What faculty expertise exists within Franklin College to help understand, address, and take future actions related to future work at Baldwin Hall, UGA's legacy of slavery, and UGA's relationship to the African American community in Athens, GA.

B) Recommendations on how Franklin College faculty expertise might be better employed in the future on issues directly related to the gravesites adjacent to Baldwin Hall, addressing the legacies of slavery at UGA, as well as improving community relations with African Americans in Athens.

Appendix VIII: Statements from Dr. Janet Westpheling, Department of Genetics (12/9/18, 4/11/19)

Dr. Pizzino and members of the ad hoc Committee on human remains found near Baldwin Hall,

My "insight" into this is that I have followed this matter since the day the discovery of the remains near Baldwin Hall was made, the immediate and long-term response of the Administration, as well as the long process of determining the best course of action to take and actually actions taken. I have first-hand knowledge of the process and am writing to share that knowledge with the committee.

I also share in the shame we must all feel to know that we walk daily on the graves of those who built the University we serve. As a white Southerner, this matters to me. I grew up with WHITE and COLERED drinking fountains, rest rooms and lunch counters and in my own education I have benefited at the expense of African Americans. I owe a personal as well as formal debt that goes back to the slavery the men and women discovered in these graves endured. This means a great deal to me.

I know from first-hand knowledge that the response from the Administration was immediate - if only to do nothing until the right course of action was determined and I applaud that. From the beginning, experts inside and outside UGA were consulted including nationally recognized experts in the fields of forensics and anthropology. Of course, we have UGA expertise in these areas and they participated (some were even funded by the University to do so) but it would have been a mistake NOT to consult or act on the recommendations of nationally recognized experts. I have interacted with Administrators throughout this process including the Vice President for Research, and other senior administrators and I know from first-hand knowledge that their actions have been thoughtful, respectful, and in my view correct. We should all be grateful for that, especially for the efforts of Michelle Garfield Cook. Dr. Cook's family has been in Georgia for generations and its possible if not likely that she is related to some of the slaves buried on Campus. She left Georgia to distinguish herself as a scholar, at Princeton and Yale, and returned here to serve our institution. She has led the Administration's actions in dealing with this and if anyone questions her honesty, sincerity or good judgement they are just wrong. Her family donated the granite used to build the wonderful memorial to the former slaves and if you haven't been there you should go and spend a moment reflecting on all that's happened and what it means to UGA. I caution you to be careful about general comments about the "Administration's" handling of this because that statement includes her.

I also have first-hand knowledge of false and slanderous accusations made by members of the Senate directed at David Lee, the VP for Research, President Morehead and others and as a faculty member of the Franklin College, I was not only appalled but embarrassed by these statements. As members of the faculty we should feel compelled to set an example for our students that while people may disagree they MUST do so respectfully and with civility. If Franklin College Senate is to be taken seriously it should endeavor to speak for the entire faculty and in ways that they would want to be represented.

It's not clear to me what role the Franklin College Senate has in this issue or what this additional call for opinion is meant to accomplish. The first charge of the committee was to

determine if the Senate had a role in this and I have not seen any evidence to support that it does. Views from faculty have been expressed publicly and privately for THREE YEARS. If there are legitimate reasons to extend the discussion what are they? What is needed that has not already been done or said? These are serious questions that I would like to have answers to. I ask them as a faculty member of the Franklin College and I would ask that the committee address them.

Janet Westpheling, Professor
Genetics Department, Franklin College

4/11/2019

Mail - oldathenscemetery@uga.edu

Re: Baldwin Hall

Janet Westpheling

Tue 4/9/2019 3:29 PM

To: Oldathenscemetery Oldathenscemetery <oldathenscemetery@uga.edu>;

I appreciate the opportunity to state my opinion on the Franklin Senate's investigation of the University's actions in the Baldwin Hall.

I feel strongly that this matter was settled years ago and that continuing an investigation is unproductive, driven by faculty members with an agenda for their own promotion and will tarnish the reputation of this institution. It will also compromise our ability to recruit minority students necessary for making UGA more diverse.

I—and many other faculty members like me—believe that the University went above and beyond to handle this unfortunate situation appropriately. Once the first remains were discovered, work stopped. The University hired expert consultants, Southeastern Archaeological Services, and followed the guidance of the authorities at the State Archaeologist's Office. UGA also sponsored Dr. Laurie Reitsema in our Department of Anthropology to conduct basic research on the remains; Dr. Reitsema then collaborated with Dr. Deborah Bolnick, a geneticist at the University of Texas at Austin. As Vice President for Research David Lee has reported to the Franklin Senate, the University has further contracted with Dr. Bolnick to continue her DNA analysis. I argue that these experts are equal to or better than any faculty member on this campus to advise on these issues and outside experts don't have an agenda of their own.

The remains were reinterred in a respectful ceremony in Oconee Hill Cemetery two years ago. This fall, the University dedicated an additional monument in front of Baldwin Hall, which was designed by a local task force led by Vice Provost Michelle Cook. Some might criticize that group because it didn't include members of the History Department or a few outspoken critics in the community – but have you acknowledged the broad representatives it did include? If so its difficult to imagine anything but gratitude for their efforts and agreement with their conclusions. I especially commend the efforts of Vice Provost Cook who has been the target of irresponsible, unwarranted and damaging personal and professional attacks.

I have heard some faculty say, "Oh, you should have known. . . ." But where were those people when the institution announced its plans to expand Baldwin Hall? A public groundbreaking was held in December 2014. The Department of Anthropology looks out on the construction site! To my knowledge, no one ever said anything until after the first set of remains was discovered. And now—years later—the Franklin Senate is still conducting interviews into a matter that was settled years ago.

I care deeply about this issue. I am committed to building this institution, contributing to its diversity and making it a place we can all work together. It is time to move forward. Let's get on with the jobs we are supposed to be doing—working hard on teaching, service and research—and stop letting the agenda of a few distract us from our mission.

Janet Westpheling, Professor
University of Georgia
Genetics Department

<https://outlook.office.com/owa/?realm=outlook.uga.edu>

1/3

Appendix IX: March 6, 2017 letter from Office of the State Archaeologist to UGA



HISTORIC PRESERVATION DIVISION

MARK WILLIAMS
COMMISSIONER

DR. DAVID CRASS
DIVISION DIRECTOR

March 06, 2017

President Jere Morehead
Office of the President
220 South Jackson Street
The Administration Building
Athens, Georgia, 30602-1661

**RE: UGA: Baldwin Hall Expansion/Renovation, 355 South Jackson Street, Athens Clarke County, Georgia
Clarke County, Georgia
SP-150130-004**

Dear President Morehead:

On November 17, 2015 workmen encountered human skeletal remains on the University of Georgia campus during construction of an addition to Baldwin Hall. In compliance with Official Code of Georgia (OCGA) 31-21-6(a), the University of Georgia Police Department was called. In turn, the Georgia Bureau of Investigation was called and removed the exposed human remains to prevent theft. The Office of the University Architect contacted the Georgia Department of Natural Resources Office of the State Archaeologist (DNR-OSA). DNR-OSA then assisted the University in developing a comprehensive plan for investigation, which was completed in February 2016.

Since the initial discovery DNR-OSA has coordinated with the University of Georgia on the excavation of 105 graves. Only a subset of the total population could be assessed for ancestry through traditional anthropological or DNA analysis. Of this subset both African American and European American remains were identified.

Because the ancestry of many of the individuals remains unidentified, DNR-OSA has recommended reintering the remains for their protection per OCGA 31-21-6 (b) (3). We further recommended reinterment in separate containers as a group and arranged as closely as possible to the original burial configuration so as to not inadvertently separate potential family members. Additionally, DNR-OSA always suggests reinterment as close to the original burial location as possible. Oconee Hills Cemetery fulfills these two conditions as it is in geographic proximity to the original burial location, and has space to reinter as a group. Additionally, there is a strong historical relationship between Old Athens Cemetery and Oconee Hills Cemetery. Throughout the investigation process the University of Georgia has been in contact with the DNR-OSA and has fully complied with the requirements of OCGA 31-21-6.

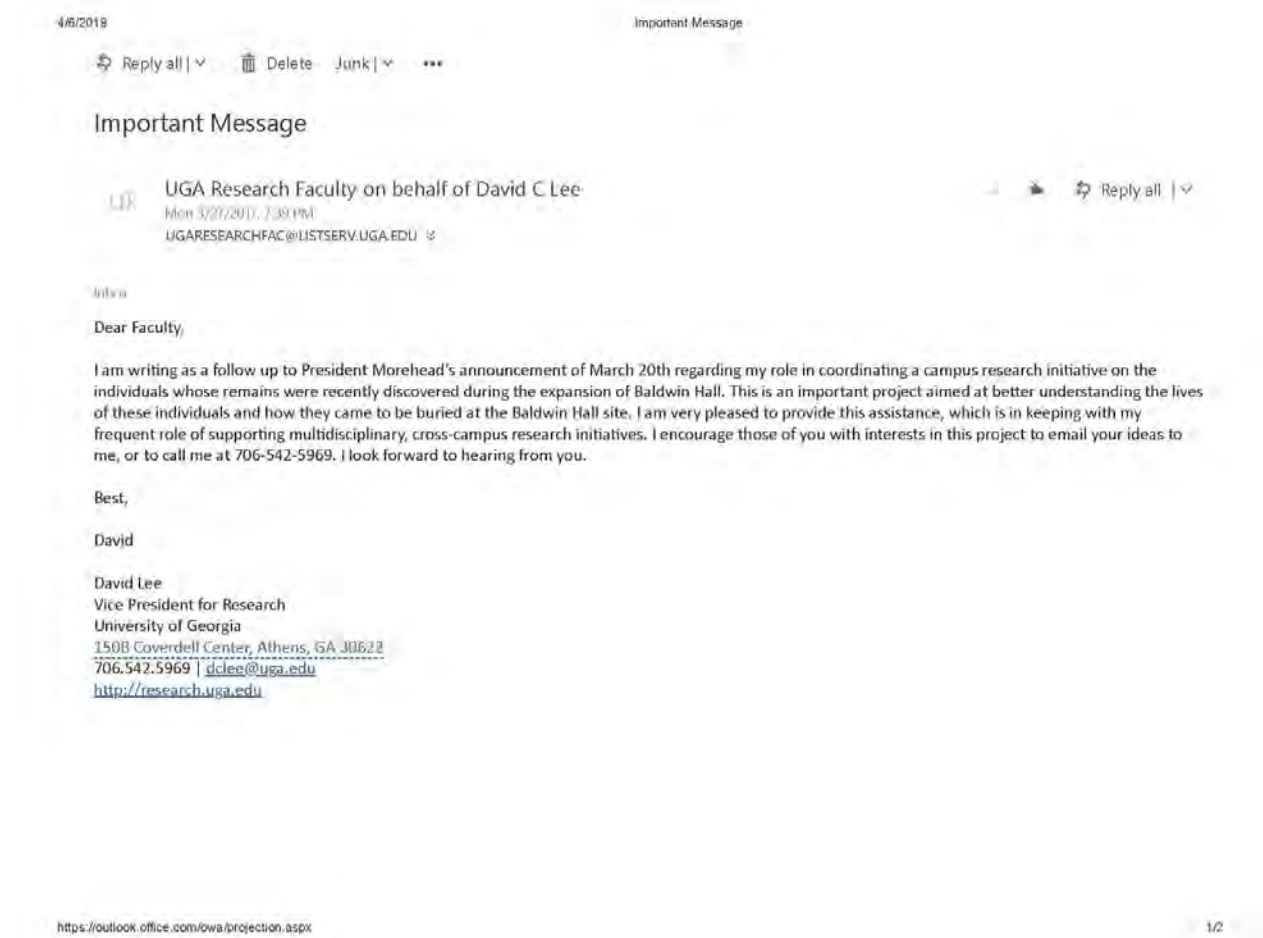
Sincerely,

Dr. Bryan Tucker

JEWETT CENTER FOR HISTORIC PRESERVATION
2610 GA HWY 155, SW | STOCKBRIDGE, GA 30281
770.389.7844 | FAX 770.389.7878 | WWW.GEORGIAHPO.ORG

State Archaeologist
and Archaeological Section Chief

Appendix X: Email from Dr. David Lee of OVPR calling for research ideas



Appendix XI: Statement from Greg Trevor, published in Athens Banner Herald

4/16/2019

UGA: Article misrepresents university's actions concerning reinterment of remains - News - Athens Banner-Herald - Athens, GA

OnlineAthens

ATHENS BANNER-HERALD

Opinion

UGA: Article misrepresents university's actions concerning reinterment of remains

Posted Mar 22, 2018 at 12:24 PM

Updated Mar 22, 2018 at 12:25 PM

Profoundly disappointed. That is our reaction to a March 21 *Athens Banner-Herald* article that misrepresents the facts about the reinterment of remains discovered during the expansion of Baldwin Hall and the University of Georgia's efforts to treat these individuals with respect and dignity more than one year ago.

The article reports on an effort by some in the Franklin College of Arts and Sciences Faculty Senate to label the University's decisions in this process as unilateral, irresponsible and unethical. Nothing could be further from the truth.

I will not rehash all of the events of a year ago, but I will hit the most important points in this summary — much of which was omitted in the story.

- Upon discovery of the remains in November 2015, the University immediately halted construction and contacted law enforcement authorities. When it was determined no crime had been committed, the project then fell under the jurisdiction of the State Archaeologist's Office for oversight.

- The University of Georgia followed the guidance of the State Archaeologist's Office every step of the way, from discovery to reinterment. The head of the office even wrote a letter to the University affirming that the University had acted properly and fully complied with all requirements — a letter that was provided to the *Athens Banner-Herald* one year ago.

- The State Archaeologist's Office provided three key instructions as guidance for reinterment:

- That the cemetery be close to the original burial site. Oconee Hill is the closest cemetery to Old Athens Cemetery and was its successor in the 1800s.

— That the remains be reburied individually. Each of the remains was carefully catalogued and placed in an individual funeral box.

— And that the remains be arranged as closely as possible to the original burial configuration so as not to inadvertently separate family members. This was done.

— The University consulted with several elected leaders of the local African-American community about this process. The *Athens Banner-Herald* included letters and quotes by some of these individuals, expressing appreciation for the University's handling of this matter, in its ongoing coverage of the story last year.

— On March 20, 2017, we facilitated a service of reinterment. Two prominent members of the local Athens community, U.S. District Court Judge Steve Jones and Reverend Winfred Hope, joined President Morehead and spoke at this solemn and respectful service. More than 200 individuals joined us for this remembrance.

— The site is marked with a granite marker that describes what happened and acknowledges that, due to the time period, the remains of those for whom we were able to identify ancestry were most likely slaves. A stanza of a poem by an African-American poet of the time period graces the other side of the stone. Oconee Hill provides perpetual care of the gravesite.

— During the course of discovery and exhumation of those remains which were discovered, the University funded the work of one of our faculty members in the Department of Anthropology, Dr. Laurie Reitsema, to conduct basic research on the remains to learn more about how the men, women and children lived — clues about their ancestry, age, sex and general health.

We pledged last spring to conduct further research to learn more about the lives of these individuals. That work is ongoing, under the coordination of our vice president for research, Dr. David Lee. He reported on the progress of this multidisciplinary research in a letter to the head of the Franklin Senate, and an update ran in our campus newspaper, *Columns*, on March 19, 2018.

The ongoing research has two facets:

- The first, being led by Dr. Marguerite Madden, director of UGA's Center for Geospatial Research, is constructing a GIS database of the evolving UGA campus from the 1800s to present. Dr. Madden tells Dr. Lee that she has made significant progress and will soon finish her work. This research will create a series of digital time-series maps with interactive capabilities, including historic photos, stories and other media to reveal insights into the lives of the individuals. Dr. Madden has engaged with the community by including local high school students on her research team.
- In the second component, an expert at the University of Texas — who was specifically recommended by Dr. Reitsema — is endeavoring to prepare, if possible, nuclear DNA libraries from samples of the remains of individuals buried at the Baldwin Hall site. As Dr. Lee reported, these libraries will be analyzed by a researcher at Harvard University with unique expertise in working with ancient DNA. The Texas collaborator has informed Dr. Lee that she hopes to have these analyses completed by the fall.

Ironically, Dr. Reitsema is now one of the faculty members apparently criticizing the efforts of the institution — efforts to which she was a major contributor. To the contrary, the extent of the University's efforts demonstrate that its actions are in no way unilateral, irresponsible or unethical. It is a shame that some would now endeavor to mislead the campus and local community to believe otherwise.

As we have stated from the outset, the University's driving principle throughout this process was to ensure that the remains of the men, women and children were treated with dignity and respect. This was our primary concern and commitment from the very first discovery at the construction site, and we have never wavered in our resolve.

The University carefully considered multiple perspectives on this issue over one year ago. The facts clearly demonstrate that the University has taken appropriate and thoughtful actions in this matter.

Greg Trevor

Executive Director of Media Communications

4/16/2019

UGA: Article misrepresents university's actions concerning reinterment of remains - News - Athens Banner-Herald - Athens, GA

University of Georgia

Appendix XII: Letter from President Jere Morehead to Faculty Senate



Office of the President
Administration Building
220 South Jackson Street
Athens, Georgia 30602-1661
TEL 706-542-1214 | FAX 706-542-0095
president@uga.edu
www.uga.edu

April 5, 2018

Dr. Mary A. Bedell
President, Faculty Senate of the Franklin College
Associate Professor
Department of Genetics
C110 Davison Life Sciences
CAMPUS

Dear Dr. Bedell:

Thank you for providing me with the April 3, 2018 statement from the Faculty Senate of the Franklin College of Arts and Sciences.

The University of Georgia remains committed to completing the Baldwin Hall project in a thoughtful and responsible manner. We will continue to work closely with the University System of Georgia Board of Regents and the Office of the State Archaeologist in addressing issues and concerns arising out of this important matter.

As a faculty member of the University of Georgia since 1986, I fully recognize and support the ideals of academic freedom and the rights guaranteed by the First Amendment. As President, I remain committed to ensuring that the University of Georgia continues to support a free, full, and fair exchange of ideas and viewpoints.

Sincerely,

Jere W. Morehead
President

Appendix XIII: April 3, 2018 *Chronicle of Higher Education* article: *New Tensions Erupt Over Georgia's Handling of Presumed Slave Remains*

New Tensions Erupt Over Georgia's Handling of Presumed Slave...

<https://www.chronicle.com/article/New-Tensions-Erupt-Over/243027>

THE CHRONICLE OF HIGHER EDUCATION

RESEARCH

New Tensions Erupt Over Georgia's Handling of Presumed Slave Remains

By Marc Parry | APRIL 03, 2018 ✓ PREMIUM



Dustin Chambers for The Chronicle Review

A granite marker indicates where the U. of Georgia reinterred remains, presumably of slaves, that were discovered during a campus construction project. The university's handling of the remains has upset some faculty and community members.

The University of Georgia is once again embroiled in controversy over its handling of presumed slave remains discovered during a campus construction project. The new tensions, triggered by the Georgia administration's aggressive response to faculty discontent reported in the local press, are a reminder of the unresolved issues that to continue to bedevil academe's two-decade-long reckoning with slavery.

As *The Chronicle Review* reported last May, the Georgia controversy blew up after the university announced that most of the

remains, which had belonged to a 19th-century burial ground, were of African descent. Faculty members hoped the discovery would lead Georgia to undertake a sustained examination of its historical entanglement with slavery, just as many other universities around the country have done.

But the university hastily reburied the remains in secret. Its actions incensed some local African-American leaders. Professors from fields like history and African-American studies, who felt excluded from the decision-making, worried that the university was trying to suppress history.

What has brought the situation back into public view is a report that appeared last

Scholars of Slavery Force a Public Reckoning

Research on the history of slavery has leapt beyond academe to force a societal reckoning. Fill out the form below to download a booklet about the scholars who are leading this effort. You'll read about their work, the conversations they've started, and what's next in the movement for reparations.


First Name *

Last Name *

Job Title *

Organization *

E-mail Address *

 Download

month in a local newspaper, the *Athens Banner-Herald*, that described faculty Senate discussions in which professors questioned the ethics of how Georgia dealt with the remains. The university's spokesman, Greg Trevor, responded by publishing his own opinion piece in the paper. Trevor scolded the *Banner-Herald* and pushed back against the professors. He named one in particular: Laurie Reitsema, a member of the anthropology department who has studied the remains.

"Ironically, Dr. Reitsema is now one of the faculty members apparently criticizing the efforts of the institution — efforts to which she was a major contributor," Trevor wrote in the *Banner-Herald*. "To the contrary, the extent of the University's efforts demonstrate that its actions are in no way unilateral, irresponsible, or

unethical. It is a shame that some would now endeavor to mislead the campus and local community to believe otherwise."

Claudio Saunt, head of Georgia's history department, said that such language is an inappropriate response to concerns raised in a faculty meeting. He described it as "a kind of infringement on academic freedom."

"It's not an actual prohibition, but it's a form of intimidation," Saunt told *The Chronicle*. "I don't think a university administrator should be singling out a faculty member in that way in public."

Since the Georgia story first erupted, academe's slavery reckoning has continued to gain momentum. Princeton University debuted an investigation of its slave history. Georgetown University has come under increased pressure to pay reparations. Duke University hosted a major symposium.

The recriminations at Georgia highlight how little the situation has progressed there over the past year.

The university administration, as before, is emphasizing its support of relatively targeted efforts: a mapping project about changing land use in the campus area dating back to the 1800s, and DNA analysis of the remains themselves. The hope is that this research will yield "information about the lives of individuals who were living in Athens and the surrounding community during that time period," Trevor says.

On Monday, meanwhile, Georgia's history department published its own statement in the *Banner-Herald* pressuring the university, yet again, to go further. The site where the remains were found can be understood only within "the complex history of an institution founded in 1785 in the slaveholding South," the professors wrote.

According to Saunt, the history department, with support from private donors and a sympathetic dean, is embarking on its own effort to study, discuss, and publicize that story.

"For some reason, there's an extraordinary amount of caution on the part of the university for something that seems like it should be obvious," Saunt says. "So many other universities have already forged ahead in this area. I'm not quite sure why there's so much caution and fear."

Marc Parry is a senior reporter who writes about ideas, focusing on research in the humanities and social sciences. Email him at marc.parry@chronicle.com, or follow him on Twitter @marcparry.

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Appendix XIV: Emails related to OSA letter dated March 6, 2017

(This appendix was added to the report by an April 23, 2019 vote of the Senate.)

This group of emails shows the circumstances of the creation of the letter in Appendix IX. As discussed in Appendix I section D 6, this letter was offered to public view on March 8, 2016 in connection with the University's announcement of the reburial that had occurred secretly the previous day. The bullet points below discuss the contents of the emails themselves and their attachments, the links among authors and recipients, and the timing of the letter.

*Between December of 2016 and March 6, 2017, there had been no new discussions between OSA/SHPO and UGA regarding questions of reburial, either as to location or as to method. In this period, some graves were still being exhumed because of the small additional project that was added to the work of the Baldwin expansion, but no changes were made regarding the reburial plan, which was to inter all remains in a plot at Oconee Hill cemetery in early spring.

*The reburial plans in question were not decided by OSA, and at no time prior to March 6 did OSA issue reburial directions to UGA. Advice was offered about particular matters such as spatial arrangement and possible choice of marker. However, as indicated by the direct testimony of Brian Tucker, OSA does not direct or command USG institutions about such matters, or about any question of reburial not addressed by state law.

*A UGA official was informed of the ancestry of the remains on December 22, 2016.

*Official UGA announcement of ancestry, and of plans for a March 20 reburial ceremony, occurred on Wednesday, March 1, about ten weeks later.

*Public outcry from members of the descendant community concerning this announcement occurred on Saturday, March 4.

*Much of the digging work for the reburial site had already been accomplished by Sunday, March 5.

*The bulk of the March 6 letter was co-written by at least two persons, Brian Tucker and his superior, David Crass (head of SHPO), over a span of a few hours, on the actual day of Monday, March 6.

*The chain of communication whereby the letter was written and approved did not resemble any previous chain of communication between UGA and OSA. Between late 2015 and late 2016, communication occurred mostly between Bryan Tucker and Rachel Black at OSA and Gwynne Darden and Scott Messer at the Office of the University Architects at UGA. On March 6, between 10:00 a.m. and noon, as the letter was drafted, it was passed from Bryan Tucker to David Crass, then to the latter's superior, Mark Williams, head of the Department of Natural Resources (DNR), and also to Wes Robinson, one of whose functions is to serve as liaison between DNR and the Governor's Office. Robinson's approval predated Williams's, and notice of the approval of Robinson was passed along by David Crass to Bryan Tucker.

*The earliest available draft of the letter was addressed to Gwynne Darden. The final draft was addressed directly to Jere Morehead and emailed to the President's office by noon of March 6.

*In mid-afternoon, President Morehead wrote David Crass back thanking him emphatically for the letter.

*The earliest available draft of the letter is named "Baldwin Hall support statement."

From: [Tucker, Bryan](#)
To: [Laurie Reitsema](#)
Subject: RE: UGA/Baldwin Hall: Fieldwork Summary
Date: Monday, March 06, 2017 10:01:00 AM
Attachments: [image001.png](#)
[image004.png](#)
[image005.png](#)
[image006.png](#)
[image007.png](#)
[image010.png](#)
[image011.png](#)
[image012.png](#)
[image013.png](#)
Importance: High

Hi Laurie, could you call me ASAP!

Dr. Bryan Tucker
State Archaeologist
Archaeology, Outreach, & Education Section Chief
Deputy State Historic Preservation Officer

-----Original Message-----

From: Crass, David
Sent: Monday, March 06, 2017 10:19 AM
To: Hover, William; Tucker, Bryan; Black, Rachel; Dixon, Jennifer; Feagler, Kim
Subject: No meeting today

Too crazy

From: [Tucker, Bryan](#)
To: [Crass, David](#)
Subject: RE: No meeting today
Date: Monday, March 06, 2017 10:21:00 AM
Attachments: [SP-150130-004 Clark Baldwin Hall support statement.doc](#)

Dr. Bryan Tucker
State Archaeologist
Archaeology, Outreach, & Education Section Chief
Deputy State Historic Preservation Officer



MARK WILLIAMS
COMMISSIONER

DR. DAVID CRASS
DIVISION DIRECTOR

March 06, 2017

Gwynne Darden
Associate Vice President
Office of University Architects for Facilities Planning
University of Georgia
382 east Broad Street
Athens, Georgia 30602-4266

**RE: UGA: Baldwin Hall Expansion/Renovation, 355 South Jackson Street, Athens Clarke County, Georgia
Clarke County, Georgia
SP-150130-004**

Dear Ms. Darden:

On November 17, 2015 workmen encountered human skeletal remains on the University of Georgia campus during construction of an addition to Baldwin Hall. In compliance with Official Code of Georgia (OCGA) 31-21-6(a), the University of Georgia Police Department was called. In turn, the Georgia Bureau of Investigation was called and removed the exposed human remains to prevent theft. The Office of the University Architect contacted the Georgia Department of Natural Resources Office of the State Archaeologist (DNR-OSA). DNR-OSA then assisted the University in developing a comprehensive plan for investigation, which was completed in February 2016.

Since the initial discovery DNR-OSA has coordinated with the University of Georgia on the excavation of 105 graves. Only a subset of the total population could be assessed for ancestry through traditional anthropological or DNA analysis. Of this subset both African American and European American remains were identified.

Because the ancestry of many of the individuals remains unidentified, DNR-OSA recommends reintering the remains in separate vessels but as a group so as to not inadvertently separate family members during reinterment as specified under OCGA 31-21-6 (b)(3). Throughout the process the University of Georgia has been in contact with the DNR-OSA and has fully complied with the requirements of OCGA 31-21-6.

Sincerely,

A handwritten signature in black ink that reads 'Bryan Tucker'.

Dr. Bryan Tucker
State Archaeologist
and Archaeological Section Chief

JEWETT CENTER FOR HISTORIC PRESERVATION
2610 GA HWY 155, SW | STOCKBRIDGE, GA 30281
770.389.7844 | FAX 770.389.7878 | WWW.GEORGIAHPO.ORG

From: "Crass, David" <David.Crass@dnr.ga.gov>

Date: March 6, 2017 at 10:49:57 AM EST

To: "Williams, Mark" <Mark.Williams@dnr.ga.gov>, "Rabon, Walter" <Walter.Rabon@dnr.ga.gov>

Cc: "Robinson, Wes" <wes.robinson@dnr.ga.gov>, "Carter, Amber" <amber.carter@dnr.ga.gov>

Subject: Letter to UGA

Attached. Might could use some smoothing. Please send me whatever version goes out for our files, call with questions, thanks.

Dr. Dave Crass

Director and Deputy State Historic Preservation Officer

Historic Preservation Division



MARK WILLIAMS
COMMISSIONER

DR. DAVID CRASS
DIVISION DIRECTOR

March 06, 2017

President Jere Morehead
Office of the President
220 South Jackson Street
The Administration Building
Athens, Georgia, 30602-1661

**RE: UGA: Baldwin Hall Expansion/Renovation, 355 South Jackson Street, Athens Clarke
County, Georgia
Clarke County, Georgia
SP-150130-004**

Dear President Morehead:

On November 17, 2015 workmen encountered human skeletal remains on the University of Georgia campus during construction of an addition to Baldwin Hall. In compliance with Official Code of Georgia (OCGA) 31-21-6(a), the University of Georgia Police Department was called. In turn, the Georgia Bureau of Investigation was called and removed the exposed human remains to prevent theft. The Office of the University Architect contacted the Georgia Department of Natural Resources Office of the State Archaeologist (DNR-OSA). DNR-OSA then assisted the University in developing a comprehensive plan for investigation, which was completed in February 2016.

Since the initial discovery DNR-OSA has coordinated with the University of Georgia on the excavation of 105 graves. Only a subset of the total population could be assessed for ancestry through traditional anthropological or DNA analysis. Of this subset both African American and European American remains were identified.

Because the ancestry of many of the individuals remains unidentified, DNR-OSA has recommended reintering the remains for their protection per OCGA 31-21-6 (b) (3). We further recommended reinterment in separate containers as a group and arranged as closely as possible to the original burial configuration so as to not inadvertently separate potential family members. Additionally, DNR-OSA always suggests reinterment as close to the original burial location as possible. Oconee Hills Cemetery fulfills these two conditions as it is in geographic proximity to the original burial location, and has space to reinter as a group. Additionally, there is a strong historical relationship between Old Athens Cemetery and Oconee Hills Cemetery. Throughout the investigation process the University of Georgia has been in contact with the DNR-OSA and has fully complied with the requirements of OCGA 31-21-6.

Sincerely,

A handwritten signature in black ink that reads 'Bryan Tucker'.

Dr. Bryan Tucker
State Archaeologist
and Archaeological Section Chief

JEWETT CENTER FOR HISTORIC PRESERVATION
2610 GA HWY 155, SW | STOCKBRIDGE, GA 30281
770.389.7844 | FAX 770.389.7878 | WWW.GEORGIAHPO.ORG

Robinson, Wes

Mon, 6 Mar 2017 15:59:08 +0000

To: Crass, David

Cc: Williams, Mark, Rabon, Walter, Carter, Amber

Re: Letter to UGA

I actually think it reads really well. I didn't see any changes that were needed.

From: [Crass, David](#)
To: [Black, Rachel](#); [Tucker, Bryan](#)
Subject: print and file
Date: Monday, March 06, 2017 11:11:03 AM
Attachments: [SP-150130-004 Clark Baldwin Hall letter DCC edits.doc](#)

Wes said the letter looked good. Bryan, I reworked the last para a bit.

Dr. Dave Crass
Director and Deputy State Historic Preservation Officer
Historic Preservation Division

Williams, Mark

Mon, 6 Mar 2017 16:26:34 +0000

To: Crass, David, Robinson, Wes, Rabon, Walter

Fwd: Letter to UGA

Attachments: [SP-150130-004 Clark Baldwin Hall letter_DCC edits.doc](#) (403.0 KB)

This letter is good go ahead and send to President Morehead.

From: [Crass, David](#)
To: president@uga.edu
Cc: pharr@uga.edu; [Williams, Mark](#); [Rabon, Walter](#); [Robinson, Wes](#); [Tucker, Bryan](#)
Subject: Letter regarding Baldwin Hall
Date: Monday, March 06, 2017 11:58:30 AM
Attachments: [SP-150130-004 Clark Baldwin Hall letter.doc](#)

President Morehead: Please find attached a brief letter from DNR's State Archaeologist regarding this project. Please do not hesitate to call my cell if you have any questions-that number is

Dr. Dave Crass
Director and Deputy State Historic Preservation Officer
Historic Preservation Division

From: [Office Of The President](#)
To: [Crass, David](#)
Cc: [Kathy R. Pharr](#); [Williams, Mark](#); [Rabon, Walter](#); [Robinson, Wes](#); [Tucker, Bryan](#)
Subject: Re: Letter regarding Baldwin Hall
Date: Monday, March 06, 2017 3:41:25 PM

Thank you very much. I am very appreciative of receiving this additional information.

Regards,

Jere Morehead
