

Introduced by: Councilmember Sneed, *midletke*

Young Costello DORSEY, *Barnett*, *Lincoln*
Henry

Prepared by: Department of Legislative Reference

Date: April 19, 2017

Smith, Cole
Clarke
Reisinger
Bulluck

Referred to: JUDICIARY AND LEGISLATIVE INVESTIGATIONS Committee

Also referred for recommendation and report to municipal agencies listed on reverse.

CITY COUNCIL 17-0064

A BILL ENTITLED

AN ORDINANCE concerning

Commemorative Days – Henrietta Lacks Day

FOR the purpose of declaring October 4 of each year to be Henrietta Lacks Day and requiring the Mayor to proclaim Henrietta Lacks Day on October 4 of each year.

By adding

Article 1 - Mayor, City Council, and Municipal Agencies
Section(s) 36-2
Baltimore City Code
(Edition 2000)

Young
Bulluck
C.T. *Cutler*

Ryan DORSEY

Sharon McKee
Wanda Clarke
John
Bill

Edward
Edward
John

*The introduction of an Ordinance or Resolution by Councilmembers at the request of any person, firm or organization is a courtesy extended by the Councilmembers and not an indication of their position.

Agencies

_____	Baltimore City Public School System
_____	Baltimore Development Corporation
_____	City Solicitor
_____	Comptroller's Office
_____	Department of Audits
_____	Department of Finance
_____	Department of General Services
_____	Department of Housing and Community Development
_____	Department of Human Resources
_____	Department of Planning
_____	Other: _____
_____	Other: _____
_____	Other: _____
_____	Department of Public Works
_____	Department of Real Estate
_____	Department of Recreation and Parks
_____	Department of Transportation
_____	Fire Department
_____	Health Department
_____	Mayor's Office of Employment Development
_____	Mayor's Office of Human Services
_____	Mayor's Office of Information Technology
_____	Office of the Mayor
_____	Police Department
_____	Other: _____
_____	Other: _____
_____	Other: _____
_____	Environmental Control Board
_____	Fire & Police Employees' Retirement System
_____	Labor Commissioner
_____	Parking Authority Board
_____	Planning Commission
_____	Wage Commission
_____	Other: _____
_____	Other: _____
_____	Other: _____
_____	Board of Estimates
_____	Board of Ethics
_____	Board of Municipal and Zoning Appeals
_____	Comm. for Historical and Architectural Preservation
_____	Commission on Sustainability
_____	Employees' Retirement System
_____	Other: _____
_____	Other: _____
_____	Other: _____

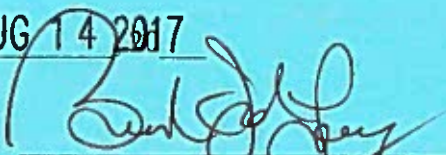
Boards and Commissions

Council Bill 17-0064

1 SECTION 2. AND BE IT FURTHER ORDAINED, That the catchlines contained in this Ordinance
2 are not law and may not be considered to have been enacted as a part of this or any prior
3 Ordinance.

4 SECTION 3. AND BE IT FURTHER ORDAINED, That this Ordinance takes effect on the 30th day
5 after the date it is enacted.

Certified as duly passed this _____ day of AUG 14 2017



President, Baltimore City Council

Certified as duly delivered to Her Honor, the Mayor,

this _____ day of AUG 14 2017

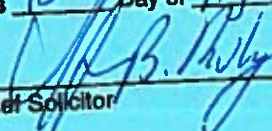


Chief Clerk

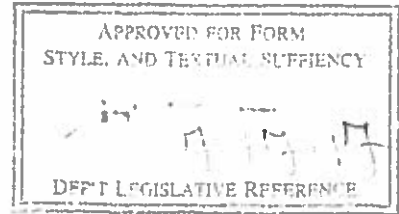
Approved this 23 day of August, 20 17



Mayor, Baltimore City

Approved For Form and Legal Sufficiency
This 15th Day of August 2017


Chief Solicitor



**AMENDMENTS TO COUNCIL BILL 17-0064
(1st Reader Copy)**

By: Councilmember Sneed
{To be offered on the Council Floor}

Amendment No. 1

On page 1, in lines 3 and 4, in each instance strike "October 4" and substitute "August 1"; and, on that same page, in line 16, strike "OCTOBER 4" and substitute "AUGUST 1"; and, in lines 16 and 17, strike "DEATH ON OCTOBER 4, 1951" and substitute "BIRTH ON AUGUST 1, 1920".

ADOPTED

ADOPTED

**BALTIMORE CITY COUNCIL
JUDICIARY AND LEGISLATIVE INVESTIGATIONS
COMMITTEE
VOTING RECORD**

DATE: June 26, 2017

BILL #: 17-0064

BILL TITLE: Commemorative Days – Henrietta Lacks Day

MOTION BY: Clarke SECONDED BY: Bullock

- FAVORABLE FAVORABLE WITH AMENDMENTS
 UNFAVORABLE WITHOUT RECOMMENDATION

NAME	YEAS	NAYS	ABSENT	ABSTAIN
Costello, E., Chair	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Clarke, M., Vice Chair	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Bullock, J.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Pinkett, L.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Reisinger, E.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Scott, B.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Stokes, R	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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TOTALS	<u>7</u>	<u>—</u>	<u>—</u>	<u>—</u>

CHAIRPERSON: CG. Clark

COMMITTEE STAFF: Marguerite M. Currin, Initials: M.M.C.

CITY OF BALTIMORE

CATHERINE E. PUGH, Mayor



DEPARTMENT OF LAW

101 City Hall
Baltimore, Maryland 21202

June 15, 2017

The Honorable President and Members
of the Baltimore City Council
Attn: Natawna Austin, Executive Secretary
Room 409, City Hall
100 N. Holliday Street
Baltimore, Maryland 21202

Re: City Council Bill 17-0064 – Commemorative Day – Henrietta Lacks Day

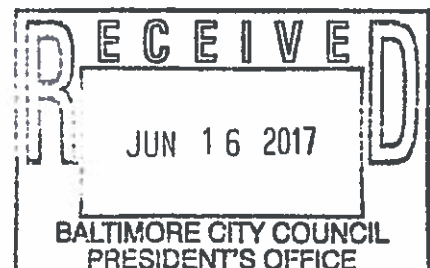
Dear President and City Council Members:

The Law Department has been asked to review, and approves, City Council Bill 17-0064 for form and legal sufficiency. The bill declares October 4th of each year to be Henrietta Lacks Day and requires the Mayor to proclaim this date each year as Henrietta Lacks Day.

Sincerely,

Jennifer Landis
Assistant Solicitor

cc: David Ralph, Interim City Solicitor
Karen Stokes, Director, Mayor's Office of Government Relations
Kyron Banks, Mayor's Legislative Liaison
Elena DiPietro, Chief Solicitor, Opinions & Advice
Hilary Ruley, Chief Solicitor
Victor Tervalá, Chief Solicitor





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CITY OF BALTIMORE

CATHERINE E. PUGH, Mayor



OFFICE OF COUNCIL SERVICES

LARRY E. GREENE, Director
415 City Hall, 100 N. Holliday Street
Baltimore, Maryland 21202
410-396-7215 / Fax: 410-545-7596
email: larry.greene@baltimorecity.gov

HEARING NOTES

Bill: 17-0064

Commemorative Days – Henrietta Lacks Day

Committee: Judiciary and Legislative Investigations

Chaired By: Councilmember Eric Costello

Hearing Date: Tuesday, June 26, 2017

Time (Beginning): 11:00 AM

Time (Ending): 11:05 AM

Location: Clarence "Du" Burns Chamber

Total Attendance: Approximately 35

Committee Members in Attendance:

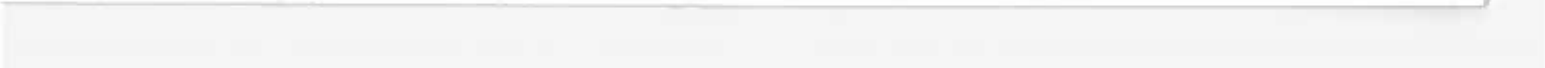
Eric Costello John Bullock
Brandon Scott Edward Reisinger
Leon Pinkett Robert Stokes
Mary Pat Clarke

Bill Synopsis in the file?	<input checked="" type="checkbox"/> yes	<input type="checkbox"/> no	<input type="checkbox"/> n/a
Attendance sheet in the file?	<input checked="" type="checkbox"/> yes	<input type="checkbox"/> no	<input type="checkbox"/> n/a
Agency reports read?	<input checked="" type="checkbox"/> yes	<input type="checkbox"/> no	<input type="checkbox"/> n/a
Hearing televised or audio-digitally recorded?	<input type="checkbox"/> yes	<input checked="" type="checkbox"/> no	<input type="checkbox"/> n/a
Certification of advertising/posting notices in the file?	<input type="checkbox"/> yes	<input type="checkbox"/> no	<input checked="" type="checkbox"/> n/a
Evidence of notification to property owners?	<input type="checkbox"/> yes	<input type="checkbox"/> no	<input checked="" type="checkbox"/> n/a
Final vote taken at this hearing?	<input checked="" type="checkbox"/> yes	<input type="checkbox"/> no	<input type="checkbox"/> n/a
Motioned by:	Councilmember Clarke		
Seconded by:	Councilmember Bullock		
Final Vote:	Favorable		

Major Speakers

(This is not an attendance record.)

- None



Major Issues Discussed

1. The primary sponsor of the legislation made opening remarks and briefly talked about the life and contributions of Ms. Henrietta Lacks. Vote taken.
-

Further Study

Was further study requested?

Yes No

If yes, describe.

Committee Vote:

E. Costello: Yea
L. Pinkett: Yea
M. Clarke: Yea
R. Stokes: Yea
E. Reisinger: Yea
B. Scott: Yea
J. Bullock: Yea

Marguerite M. Currin

Marguerite M. Currin, Committee Staff

Date: June 27, 2017

cc: Bill File
OCS Chrono File



**BALTIMORE CITY COUNCIL
JUDICIARY AND LEGISLATIVE INVESTIGATIONS
COMMITTEE**

Mission Statement

On behalf of the Citizens of Baltimore City, the mission of the Judiciary and Legislative Investigations Committee is to investigate and study the continuing operations, efficiency, and functions of Baltimore City government in accordance with the laws of Baltimore City, the State of Maryland, and the United States.

As a result of its investigations and studies, the Committee will recommend and oversee reforms to improve the operations of Baltimore City's government through legislative, administrative, and/or budgetary processes.

**The Honorable Eric T. Costello
Chairman**

PUBLIC HEARING

Monday, June 26, 2017

10:40 AM

CLARENCE "DU" BURNS COUNCIL CHAMBERS

Council Bill 17-0064

Commemorative Days - Henrietta Lacks Day

CITY COUNCIL COMMITTEES

BUDGET AND APPROPRIATIONS

Helen Holton – Chair
James B. Kraft – Vice Chair
Warren Branch
Eric Costello
Sharon Green Middleton
Edward Reisinger
Brandon M. Scott
Staff: Marguerite Murray

EDUCATION AND YOUTH

Mary Pat Clarke – Chair
Bill Henry – Vice Chair
Robert Curran
Nick Mosby
William "Pete" Welch
Staff: D'Paul Nibber

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Rochelle "Rikki" Spector – Vice Chair
Eric Costello
Nick Mosby
Carl Stokes
Staff: Jennifer Coates

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William "Pete" Welch
Staff: D'Paul Nibber

HOUSING AND COMMUNITY DEVELOPMENT

Bill Henry – Chair
Nick Mosby – Vice Chair
Mary Pat Clarke
Carl Stokes
William "Pete" Welch
Staff: Richard Krummerich

JUDICIARY AND LEGISLATIVE INVESTIGATIONS

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Mary Pat Clarke – Vice Chair
Warren Branch
Robert Curran
Bill Henry
Staff: Marguerite Murray

LABOR

Robert Curran – Chair
Nick Mosby – Vice Chair
Warren Branch
Mary Pat Clarke
Brandon M. Scott
Staff: Marshall Bell

LAND USE AND TRANSPORTATION

Edward Reisinger – Chair
James B. Kraft – Vice Chair
Warren Branch
Mary Pat Clarke
Bill Henry
Sharon Green Middleton
Nick Mosby
Staff: Marshall Bell

PUBLIC SAFETY

Warren Branch – Chair
Brandon M. Scott – Vice Chair
Eric Costello
Sharon Green Middleton
Nick Mosby
Staff: Marshall Bell

RECREATION AND PARKS

Carl Stokes – Chair
Eric Costello – Vice Chair
James B. Kraft
Sharon Green Middleton
Brandon M. Scott
Staff: D'Paul Nibber

TAXATION, FINANCE AND ECONOMIC DEVELOPMENT

Carl Stokes – Chair
Bill Henry – Vice Chair
Warren Branch
Helen Holton
Edward Reisinger
Staff: Jennifer Coates
- Larry Greene (*pension only*)

URBAN AFFAIRS AND AGING

Sharon Green Middleton – Chair
Mary Pat Clarke – Vice Chair
Eric Costello
Helen Holton
William "Pete" Welch
Staff: Richard Krummerich

CITY OF BALTIMORE

CATHARINE E. PUGH, Mayor



OFFICE OF COUNCIL SERVICES

LARRY E. GREENE, Director
415 City Hall, 100 N. Holliday Street
Baltimore, Maryland 21202
410-396-7215 / Fax: 410-545-7596
email: larry.greene@baltimorecity.gov

BILL SYNOPSIS

Committee: Judiciary and Legislative Investigations

Bill 17-0064

Commemorative Days - Henrietta Lacks Day

Sponsor: Councilmember Sneed, et al

Introduced: April 24, 2017

Purpose:

For the purpose of declaring October 4 of each year to be Henrietta Lacks Day and requiring the Mayor to proclaim Henrietta Lacks Day on October 4 of each year.

Effective: On the 30th day after the date it is enacted.

Hearing Date/Time/Location: June 26, 2017/10:40 a.m./Clarence "Du" Burns Chamber

Agency Reports

Law Department

Favorable

ANALYSIS

Current Law

N/A

Background

Council Bill 17-0064 seeks to commemorate Mrs. Henrietta Lacks by honoring her memory on every October 4th of each year through a Mayoral proclamation. The Baltimore Sun reports that Mrs. Lacks was a resident of Baltimore County that had a diagnostic procedure done at Johns Hopkins in 1951. Johns Hopkins, without consent, harvested a groundbreaking form of human cells from Mrs. Lacks, now known as "HeLa cells." The cells "were the first to live outside the body in a glass tube and contributed to billions of dollars in medical advancements." Although Johns Hopkins has attempted to make amends for its compromised bioethics, Lacks's descendents remain divided over whether the institute has done enough.

The Law Department provided a favorable report, approving the Bill for form and legal sufficiency. Mr. Joseph Smith and Ms. Jennifer Mielke, both of Johns Hopkins University, submitted testimony in support of 17-0064. They noted that "over the past seven years, [Johns Hopkins has] worked with the Lacks family to recognize the contributions of Mrs. Lacks." The testimony acknowledges that the cells were taken and used without the consent of Mrs. Lacks, and that "Johns Hopkins and other major research institutions relied on HeLa cells for innumerable studies and discoveries." Mr. Smith and Ms. Mielke added that Johns Hopkins has used the Lacks case to "deepen [its] understanding of informed consent," "appreciate the ways [its] patients make medical advances possible," and reinforce the responsibility it feels for its surrounding community. The institution has developed lectures, scholarships, and community grants in Mrs. Lacks's honor.

Additional Information

Fiscal Note: Not Available

Information Source(s): Law Department; Johns Hopkins University; Baltimore Sun

Analysis by: *D'Paul & Nibber*
D'Paul S. Nibber
Analysis Date: June 19, 2017

Direct Inquiries to: (410) 396-1268

**CITY OF BALTIMORE
COUNCIL BILL 17-0064
(First Reader)**

Introduced by: Councilmembers Sneed, Middleton, President Young, Councilmembers Costello,
Henry, Dorsey, Burnett, Pinkett, Scott, Cohen, Clarke, Reisinger, Bullock

Introduced and read first time: April 24, 2017

Assigned to: Judiciary and Legislative Investigations Committee

REFERRED TO THE FOLLOWING AGENCIES: City Solicitor

A BILL ENTITLED

1 AN ORDINANCE concerning

2 **Commemorative Days – Henrietta Lacks Day**

3 FOR the purpose of declaring October 4 of each year to be Henrietta Lacks Day and requiring the
4 Mayor to proclaim Henrietta Lacks Day on October 4 of each year.

5 BY adding

6 Article 1 - Mayor, City Council, and Municipal Agencies
7 Section(s) 36-2
8 Baltimore City Code
9 (Edition 2000)

10 **SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That the**
11 **Laws of Baltimore City read as follows:**

12 **Baltimore City Code**

13 **Article 1. Mayor, City Council, and Municipal Agencies**

14 **Subtitle 36. Commemorative Days**

15 **§ 36-2. HENRIETTA LACKS DAY .**

16 **OCTOBER 4 OF EACH YEAR SHALL BE HENRIETTA LACKS DAY IN HONOR OF THE DEATH ON**
17 **OCTOBER 4, 1951 OF HENRIETTA LACKS, WHOSE CERVICAL CANCER CELLS WERE TAKEN**
18 **WITHOUT HER OR HER FAMILY’S KNOWLEDGE OR CONSENT TO CREATE THE HELA LINE OF**
19 **CELLS USED TO FURTHER MEDICAL SCIENCE, INCLUDING CURES AND TREATMENTS FOR**
20 **DISEASES SUCH AS POLIO, CANCER, AND AIDS. THE MAYOR ANNUALLY SHALL PROCLAIM**
21 **THIS DAY AS HENRIETTA LACKS DAY TO RECOGNIZE THIS IMPORTANT MOMENT IN MEDICAL**
22 **HISTORY.**

23 **SECTION 2. AND BE IT FURTHER ORDAINED, That the catchlines contained in this Ordinance**
24 **are not law and may not be considered to have been enacted as a part of this or any prior**
25 **Ordinance.**

EXPLANATION: CAPITALS indicate matter added to existing law.
[Brackets] indicate matter deleted from existing law.

Council Bill 17-0064

1 **SECTION 3. AND BE IT FURTHER ORDAINED, That this Ordinance takes effect on the 30th day**
2 **after the date it is enacted.**

JUDICIARY AND LEGISLATIVE INVESTIGATIONS COMMITTEE

Council Bill 17-0064

Hearing Date: June 26, 2017

Agency Reports:

- **Law Department**
 - **Favorable**

CITY OF BALTIMORE

CATHERINE E. PUGH, Mayor



DEPARTMENT OF LAW

101 City Hall
Baltimore, Maryland 21202

June 15, 2017

The Honorable President and Members
of the Baltimore City Council
Attn: Natawna Austin, Executive Secretary
Room 409, City Hall
100 N. Holliday Street
Baltimore, Maryland 21202

Re: City Council Bill 17-0064 – Commemorative Day – Henrietta Lacks Day

Dear President and City Council Members:

The Law Department has been asked to review, and approves, City Council Bill 17-0064 for form and legal sufficiency. The bill declares October 4th of each year to be Henrietta Lacks Day and requires the Mayor to proclaim this date each year as Henrietta Lacks Day.

Sincerely,

Jennifer Landis
Assistant Solicitor

cc: David Ralph, Interim City Solicitor
Karen Stokes, Director, Mayor's Office of Government Relations
Kyron Banks, Mayor's Legislative Liaison
Elena DiPietro, Chief Solicitor, Opinions & Advice
Hilary Ruley, Chief Solicitor
Victor Tervalá, Chief Solicitor



**JUDICIARY AND LEGISLATIVE
INVESTIGATIONS COMMITTEE**

Council Bill 17-0064

Hearing Date: June 26, 2017

Attachments:

- **Johns Hopkins Letter of Support**
- **“HBO movie on Henrietta Lacks puts spotlight on Johns Hopkins” – Baltimore Sun**

JOHNS HOPKINS

Government and Community Affairs

Suite 540
901 S. Bond Street
Baltimore MD 21231
443-287-9900 / Fax 443-287-9898

June 12, 2017

The Honorable Shannon Sneed
100 N. Holliday Street
Suite 500
Baltimore, Maryland 21202

RE: Council Bill 17-0064 Commemorative Days – Henrietta Lacks Day

Dear Councilwoman Sneed,

Johns Hopkins University and Medicine is pleased to offer its support of Council Bill 17-0064 Commemorative Days – Henrietta Lacks Day.

We are thrilled that the City of Baltimore is seeking to celebrate Mrs. Lacks' tremendous contributions by declaring a day in her honor. Over the past seven years, we have worked with the Lacks family to recognize the contributions of Mrs. Lacks, whose unwitting participation in scientific research changed modern medicine and continues to teach us essential lessons about bioethics and informed consent.

Henrietta Lacks was a 31-year-old mother of five when she sought treatment for an aggressive cervical cancer at Johns Hopkins Hospital in 1951. Researchers took additional tissue samples from Mrs. Lacks during a biopsy—a common practice with all cervical cancer patients at the time—and found in those samples the first “immortal” human cell line. Known since then as HeLa (for Henrietta Lacks), this extraordinary cell line was shared with scientists around the world and has contributed to countless medical advances. Yet, for decades, even as Johns Hopkins and other major research institutions relied on HeLa cells for innumerable studies and discoveries, the identity of the woman behind the cells was largely unknown, including to her own family.

Johns Hopkins' part in Mrs. Lacks' story is complex and has helped us to deepen our understanding of informed consent, to appreciate the ways our patients make medical advances possible, and to reinforce the responsibility we hold for building trust with our patients, their families, and our community.

We have collaborated with members of the Lacks family and many others across Baltimore to launch initiatives that recognize and pay tribute to her legacy, including the annual Henrietta Lacks Memorial Lecture, four-year college scholarships for Dunbar High School students, and community grants in Henrietta Lacks' name.

We join you in celebrating Mrs. Lacks and believe that Council Bill 17-0064 will increase awareness of her life and legacy.

Again, Johns Hopkins University and Medicine supports Council Bill 17-0064 to honor Mrs. Henrietta Lacks.

Sincerely,

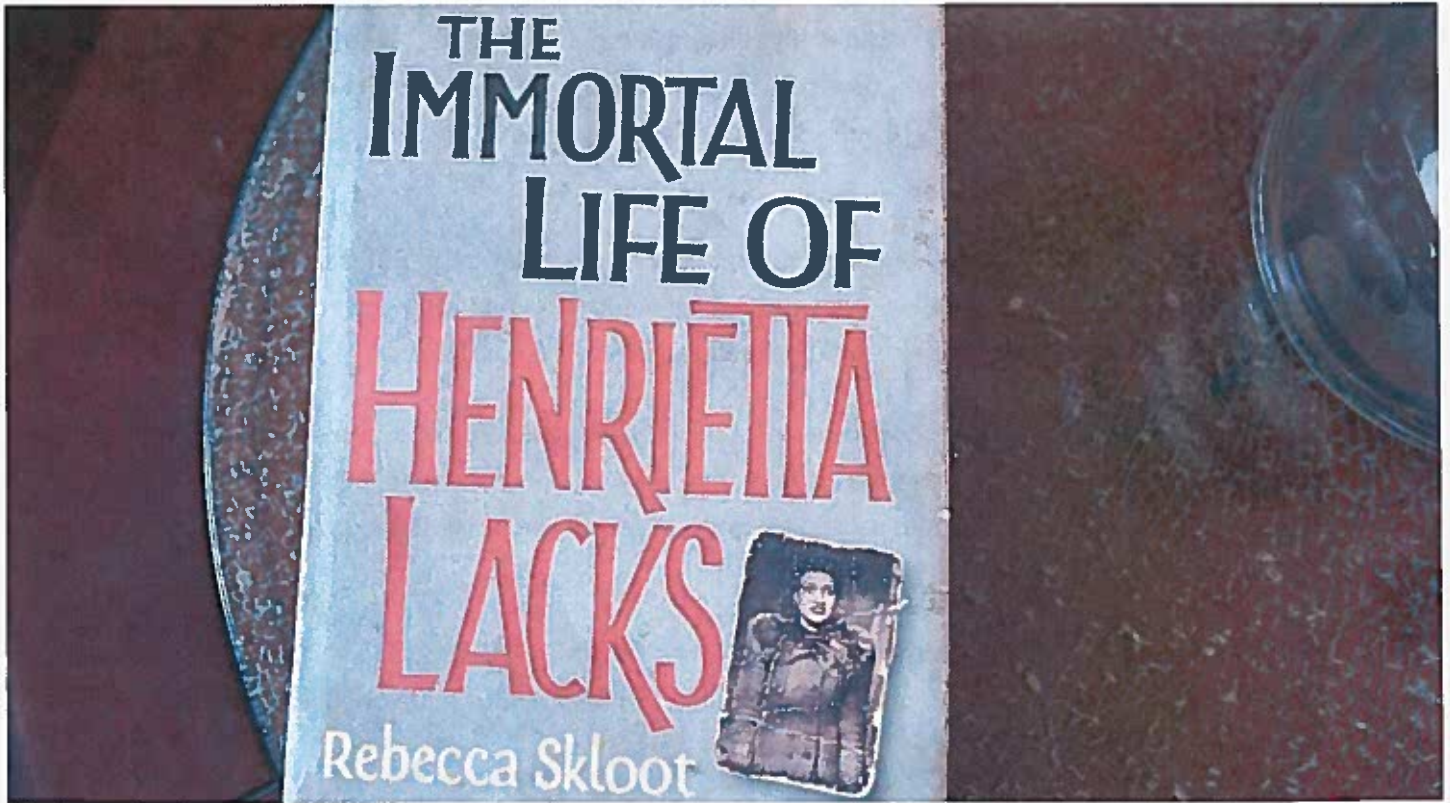


Joseph Smith, Director
Local Affairs



Jennifer J. Mielke, Director
Local and Community Affairs

HBO movie on Henrietta Lacks puts spotlight on Johns Hopkins



The Henrietta Lacks movie has restarted the conversation about Johns Hopkins Hospital's controversial decision to use Lacks' cancer cells for research without her knowledge or consent. (Ulysses Muñoz / Baltimore Sun)



By **Andrea K. McDaniels**
The Baltimore Sun

APRIL 20, 2017, 6:32 AM

As a movie starring Oprah Winfrey about Henrietta Lacks and her groundbreaking cells hits television screens Saturday, one major character in her story has remained muted.

Johns Hopkins Medicine, whose doctors took Lacks' cells without her consent during a diagnostic procedure in 1951, has kept a low profile amid the fanfare surrounding the HBO movie, based on the bestselling book "The Immortal Life of Henrietta Lacks" by Rebecca Skloot.

The movie — like the book before it — thrusts Johns Hopkins into an uncomfortable spotlight and prompted some Lacks family members and others to call for financial compensation for her descendants as a form of

atonement. By dredging up past wrongs, it creates at least a temporary public relations issue for the esteemed institution, crisis management experts said.

Johns Hopkins has declined repeated requests for interviews about the movie and demands by the family members, though it's issued several statements.

"The actors, directors and producers created a compelling and meaningful film," Hopkins said in a statement Wednesday. "Of course, as with any movie, time restricts how much information can be included. We hope viewers will be moved to learn more about Henrietta Lacks, HeLa cells, and the evolving understanding of bioethics over recent decades."

In an earlier statement, officials pointed out that consent practices and laws did not exist when the cells were taken from 31-year-old Lacks during a diagnostic procedure before she died of an aggressive form of cervical cancer. The institution also said it never patented the cells or profited from them.

Of course, the discovery and use of the now-named HeLa cells strengthened Hopkins' reputation. The cells were the first to live outside the body in a glass tube and contributed to billions of dollars in medical advancements. They are now the most widely used human cells in scientific research and have helped in the development of vaccines, cancer treatments and in vitro fertilization.

Hopkins has extended olive branches to the Lacks family over the years. They have developed programs to recognize and honor her, including scholarships, an annual symposium and a historical exhibit on the Johns Hopkins medical campus. A page on its website addresses the matter.

The institution also cooperated with HBO on the movie and Ronald Daniels, president of Johns Hopkins University, attended a premiere in New York City Tuesday along with 20 Lacks family members. A portion of the movie was filmed in an old hospital foyer at Johns Hopkins with a statue of Jesus that Lacks touched when she was admitted 55 years ago. HBO's art department was also given access to the Johns Hopkins archives.

But as the movie premieres, some are asking whether Johns Hopkins and others have gone far enough in repairing past wrongs.

Lacks oldest son, Lawrence, contends Hopkins has not done enough and the HBO movie only increased his ire. He and son Ron said other family members are settling for small fees from speaking engagements and advising on the movie, while others have made much more.

"So many companies are making money off of her cells," Ron Lacks said. "Even Johns Hopkins. I can't believe they haven't made money."

"When is my family going to get some relief?"

After her book was published in 2010, Skloot set up a foundation to help the family because it had received no compensation. The foundation, which raised \$57,000 in the first year, has awarded more than 56 grants to

Lacks descendants, including money for health care and dental care, tuition and books, job training and and emergency relief.

An HBO spokesman said the movie producers donated an undisclosed amount of money to the foundation this year because Skloot asked for it as part of the fees she was paid for the movie rights and helping to produce it.

Skloot, through a spokeswoman, declined to give her personal opinion on whether Johns Hopkins should compensate the family.

"Everyone will come to a different conclusion to that question based on their personal beliefs and opinions," she said in an email through a spokeswoman. "Rather than tell people what to think, a journalist's job is to lay out the facts so that people can have educated discussions and come to their own conclusions. ... It is the hope that this book has started a large conversation around this issue."

Winfrey, who worked for Baltimore's WJZ early in her career, could not be reached for comment, but she told USA Today last week that while she is disappointed by the family divide, perhaps it is due some kind of compensation. She gave \$100,000 to Alfred Lacks, a grandson of Henrietta, who recently established the Henrietta Lacks House of Healing, a foundation to help those returning from prison in the Baltimore area.

"I certainly do not feel that it is HBO's responsibility or mine or (director George C. Wolfe's) — or Rebecca Skloot's even — to now make sure that the family has money for the rest of their days," she told the newspaper. "The fact that they were never compensated for any of those cells by any of the drug companies, that is really unfortunate. I do think they should have been compensated by somebody who profited from it."

Legal analysts said a court case for compensation, as Lawrence Lacks has threatened, would be challenging, because the incident happened so many years ago in a time before consent laws that now protect patients. Even with those laws, the legal precedent for whether a person's body parts are protected from public use remains murky.

But nothing precludes Johns Hopkins from providing the family with some financial compensation, one medical ethicist said.

Dr. Arthur Caplan, director of medical ethics at the New York University School of Medicine suggested Hopkins could set up a foundation that includes contributions from Johns Hopkins, the National Institutes of Health and drug companies that have profited from use of the cells.

"It is way past time to put this particular battle to bed," Caplan said. "We can stop making the family feel like they're getting the runaround or that everyone is doing well because of their relative's history but them. Let's do more. Let's do better."

NIH consulted with the Lacks family on a 2013 agreement that required scientists receiving its funding to use a database of Lacks' genome that can only be accessed through the federal agency. Two of Lacks' descendants were appointed to help reviews requests for access to the HeLa cell line.

Researchers, however, can access the cell line through other sources.

NIH said in a statement it never entered into a formal contract with the Lacks family, but sought their input to respect their right to privacy and confidentiality. The agency funds research so "there is no legal basis for financial compensation to the family from NIH in this circumstance," the statement said.

Dr. Erin Daksha-Talati Paquette, a member of Northwestern University's Center for Bioethics and Medical Humanities, said Hopkins and NIH have done enough to acknowledge the unfairness of taking the cells.

"There are different ways to recognize the importance of respecting individuals when they are participating in research and donating their bodies or parts of their bodies to science," she said.

The questions arise as elite colleges and universities nationwide move to acknowledge and in some cases address past abuses. [Georgetown University](#) said last year it would give preferential admission to the descendants of 272 slaves the institution sold in 1838 to pay off debts.

Roland Rust, a distinguished university professor at the University of Maryland's Robert H. Smith School of Business, said he predicts the focus on Johns Hopkins will die down once the movie is out. He said what Hopkins did with the Lacks cells was not as egregious as what happened at Georgetown or with Tuskegee experiments where black men died because researchers knowingly did not treat them for syphilis.

"We are talking about something that happened more than 50 years ago," he said. "I don't think people would really connect with something that they did back then where there were different laws, different customs. I don't think they would connect that as closely to the existing organization today."

But Eric Dezenhall, a Washington, D.C. crisis management specialist, said Johns Hopkins is probably worried about the impact of the movie's release.

"Nobody ever likes it when Hollywood takes a whack at particular subject," he said. "It is sort of like tugging at the collar of sleeping Doberman. It wakes things up that you don't want woken up."

In the long run, though, he doesn't think it will hurt the institution.

"They might have something to wade through for a bit," he said. "It might be painful for a while. It doesn't necessarily mean it leads to a fundraising disaster and things like that."

amcdaniels@baltsun.com

[Twitter.com/ankwalker](https://twitter.com/ankwalker)

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This article is related to: [Oprah Winfrey](#), [Georgetown University](#)

**CITY OF BALTIMORE
COUNCIL BILL 17-0064
(First Reader)**

Introduced by: Councilmembers Sneed, Middleton, President Young, Councilmembers Costello,
Henry, Dorsey, Burnett, Pinkett, Scott, Cohen, Clarke, Reisinger, Bullock

Introduced and read first time: April 24, 2017

Assigned to: Judiciary and Legislative Investigations Committee

REFERRED TO THE FOLLOWING AGENCIES: City Solicitor

A BILL ENTITLED

1 AN ORDINANCE concerning

2 **Commemorative Days – Henrietta Lacks Day**

3 FOR the purpose of declaring October 4 of each year to be Henrietta Lacks Day and requiring the
4 Mayor to proclaim Henrietta Lacks Day on October 4 of each year.

5 BY adding

6 Article 1 - Mayor, City Council, and Municipal Agencies
7 Section(s) 36-2
8 Baltimore City Code
9 (Edition 2000)

10 **SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE,** That the
11 Laws of Baltimore City read as follows:

12 **Baltimore City Code**

13 **Article 1. Mayor, City Council, and Municipal Agencies**

14 **Subtitle 36. Commemorative Days**

15 **§ 36-2. HENRIETTA LACKS DAY .**

16 OCTOBER 4 OF EACH YEAR SHALL BE HENRIETTA LACKS DAY IN HONOR OF THE DEATH ON
17 OCTOBER 4, 1951 OF HENRIETTA LACKS, WHOSE CERVICAL CANCER CELLS WERE TAKEN
18 WITHOUT HER OR HER FAMILY'S KNOWLEDGE OR CONSENT TO CREATE THE HELA LINE OF
19 CELLS USED TO FURTHER MEDICAL SCIENCE, INCLUDING CURES AND TREATMENTS FOR
20 DISEASES SUCH AS POLIO, CANCER, AND AIDS. THE MAYOR ANNUALLY SHALL PROCLAIM
21 THIS DAY AS HENRIETTA LACKS DAY TO RECOGNIZE THIS IMPORTANT MOMENT IN MEDICAL
22 HISTORY.

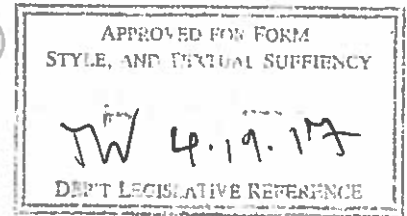
23 **SECTION 2. AND BE IT FURTHER ORDAINED,** That the catchlines contained in this Ordinance
24 are not law and may not be considered to have been enacted as a part of this or any prior
25 Ordinance.

EXPLANATION: CAPITALS indicate matter added to existing law.
[Brackets] indicate matter deleted from existing law.

Council Bill 17-0064

1 SECTION 3. AND BE IT FURTHER ORDAINED, That this Ordinance takes effect on the 30th day
2 after the date it is enacted.

INTRODUCTORY*
CITY OF BALTIMORE
COUNCIL BILL _____



Introduced by: Councilmember Sneed

A BILL ENTITLED

AN ORDINANCE concerning

Commemorative Days – Henrietta Lacks Day

FOR the purpose of declaring October 4 of each year to be Henrietta Lacks Day and requiring the Mayor to proclaim Henrietta Lacks Day on October 4 of each year.

BY adding

Article 1 - Mayor, City Council, and Municipal Agencies
Section(s) 36-2
Baltimore City Code
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SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That the Laws of Baltimore City read as follows:

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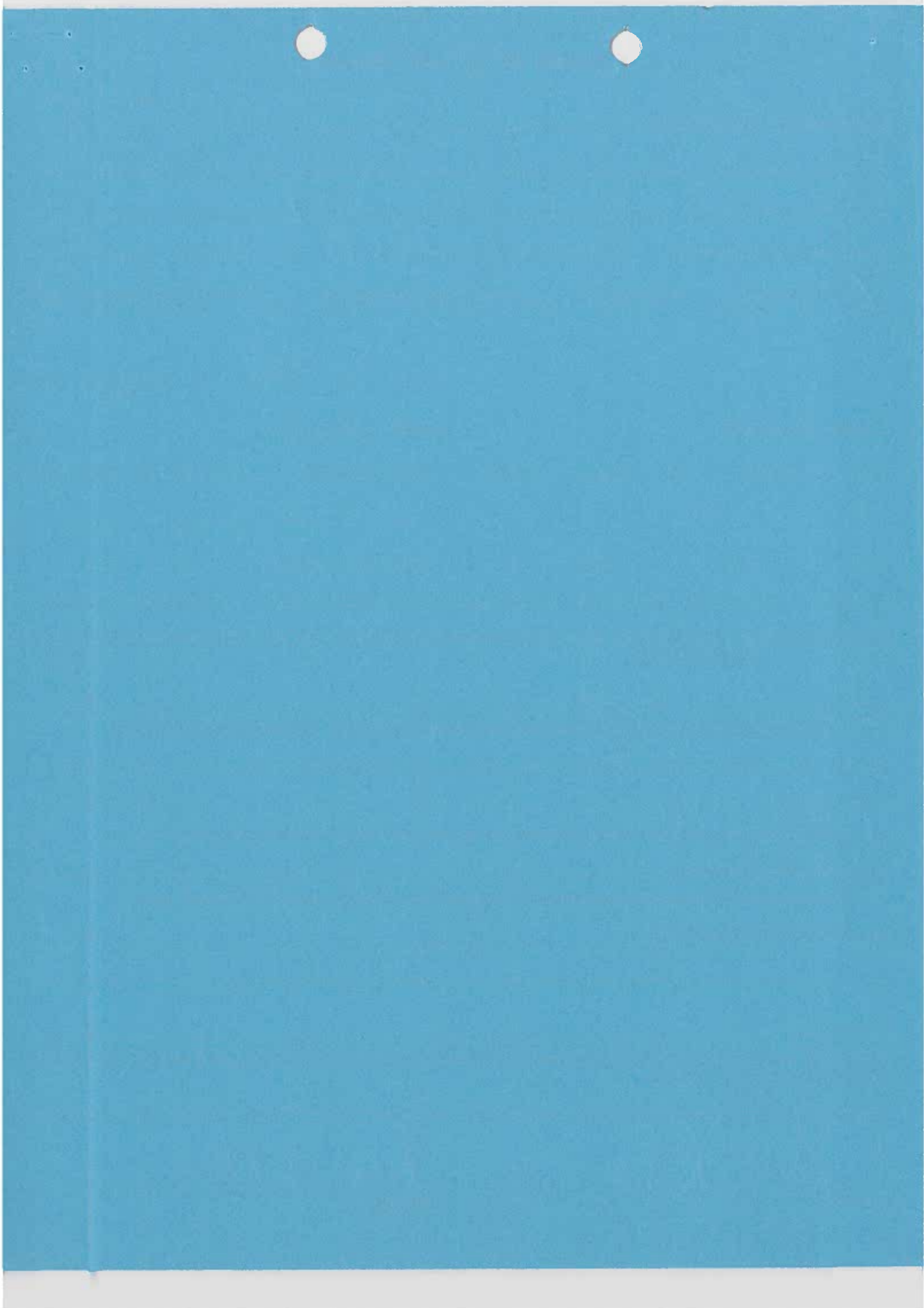
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SECTION 3. AND BE IT FURTHER ORDAINED, That this Ordinance takes effect on the 30th day after the date it is enacted.



ACTION BY THE CITY COUNCIL

APR 24 2017

FIRST READING (INTRODUCTION) _____ 20 _____

PUBLIC HEARING HELD ON June 20 + 26, 2017 _____ 20 _____

COMMITTEE REPORT AS OF July 17, 2017 _____ 20 _____

FAVORABLE _____ UNFAVORABLE _____ FAVORABLE AS AMENDED _____ WITHOUT RECOMMENDATION _____

E.T. Cruz
Chair

COMMITTEE MEMBERS:

COMMITTEE MEMBERS:

SECOND READING: The Council's action being favorable (unfavorable), this City Council bill was (was not) ordered printed for
Third Reading on:

JUL 17 2017

Amendments were read and adopted (defeated) as indicated on the copy attached to this blue backing. _____ 20 _____

THIRD READING _____ AUG 14 2017 _____

_____ Amendments were read and adopted (defeated) as indicated on the copy attached to this blue backing.

THIRD READING (ENROLLED) _____ 20 _____

_____ Amendments were read and adopted (defeated) as indicated on the copy attached to this blue backing.

THIRD READING (RE-ENROLLED) _____ 20 _____

WITHDRAWAL _____ 20 _____

There being no objections to the request for withdrawal, it was so ordered that this City Council Ordinance be withdrawn from the files of the City Council.

[Signature]
President

[Signature]
Chief Clerk

CITY OF BALTIMORE

CATHERINE E. PUGH, Mayor



DEPARTMENT OF LAW

101 City Hall
Baltimore, Maryland 21202

June 15, 2017

The Honorable President and Members
of the Baltimore City Council
Attn: Natawna Austin, Executive Secretary
Room 409, City Hall
100 N. Holliday Street
Baltimore, Maryland 21202

Re: City Council Bill 17-0064 – Commemorative Day – Henrietta Lacks Day

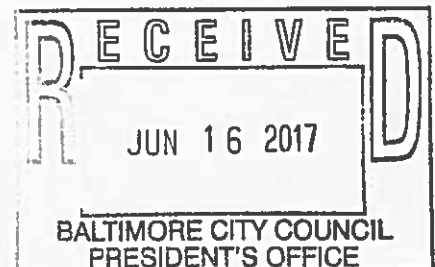
Dear President and City Council Members:

The Law Department has been asked to review, and approves, City Council Bill 17-0064 for form and legal sufficiency. The bill declares October 4th of each year to be Henrietta Lacks Day and requires the Mayor to proclaim this date each year as Henrietta Lacks Day.

Sincerely,

Jennifer Landis
Assistant Solicitor

cc: David Ralph, Interim City Solicitor
Karen Stokes, Director, Mayor's Office of Government Relations
Kyron Banks, Mayor's Legislative Liaison
Elena DiPietro, Chief Solicitor, Opinions & Advice
Hilary Ruley, Chief Solicitor
Victor Tervalá, Chief Solicitor



**CITY OF BALTIMORE
COUNCIL BILL 17-0064
(First Reader)**

Introduced by: Councilmembers Sneed, Middleton, President Young, Councilmembers Costello,
Henry, Dorsey, Burnett, Pinkett, Scott, Cohen, Clarke, Reisinger, Bullock

Introduced and read first time: April 24, 2017

Assigned to: Judiciary and Legislative Investigations Committee

REFERRED TO THE FOLLOWING AGENCIES: City Solicitor

A BILL ENTITLED

1 AN ORDINANCE concerning

2 **Commemorative Days – Henrietta Lacks Day**

3 FOR the purpose of declaring October 4 of each year to be Henrietta Lacks Day and requiring the
4 Mayor to proclaim Henrietta Lacks Day on October 4 of each year.

5 BY adding

6 Article 1 - Mayor, City Council, and Municipal Agencies
7 Section(s) 36-2
8 Baltimore City Code
9 (Edition 2000)

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13 **Article 1. Mayor, City Council, and Municipal Agencies**

14 **Subtitle 36. Commemorative Days**

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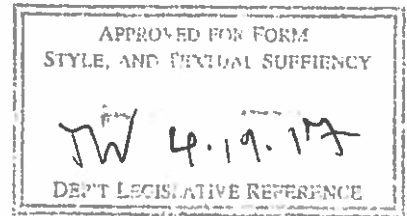
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Council Bill 17-0064

1 **SECTION 3. AND BE IT FURTHER ORDAINED,** That this Ordinance takes effect on the 30th day
2 after the date it is enacted.



INTRODUCTORY*
CITY OF BALTIMORE
COUNCIL BILL 17-0064

Introduced by: Councilmember Sneed

A BILL ENTITLED

AN ORDINANCE concerning

JLI
Law

Commemorative Days – Henrietta Lacks Day

FOR the purpose of declaring October 4 of each year to be Henrietta Lacks Day and requiring the Mayor to proclaim Henrietta Lacks Day on October 4 of each year.

BY adding

Article 1 - Mayor, City Council, and Municipal Agencies
Section(s) 36-2
Baltimore City Code
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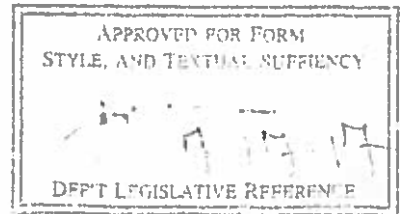
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**AMENDMENTS TO COUNCIL BILL 17-0064
(1st Reader Copy)**

By: Councilmember Sneed
{To be offered on the Council Floor}

Amendment No. 1

On page 1, in lines 3 and 4, in each instance strike "October 4" and substitute "August 1"; and, on that same page, in line 16, strike "OCTOBER 4" and substitute "AUGUST 1"; and, in lines 16 and 17, strike "DEATH ON OCTOBER 4, 1951" and substitute "BIRTH ON AUGUST 1, 1920".



CITY OF BALTIMORE
ORDINANCE
Council Bill 17-0064

Introduced by: Councilmembers Sneed, Middleton, President Young, Councilmembers Costello,
Henry, Dorsey, Burnett, Pinkett, Scott, Cohen, Clarke, Reisinger, Bullock
Introduced and read first time: April 24, 2017
Assigned to: Judiciary and Legislative Investigations Committee
Committee Report: Favorable, with floor amendments
Council action: Adopted
Read second time: July 17, 2017

AN ORDINANCE CONCERNING

1 Commemorative Days – Henrietta Lacks Day

2 FOR the purpose of declaring ~~October 4~~ August 1 of each year to be Henrietta Lacks Day and
3 requiring the Mayor to proclaim Henrietta Lacks Day on ~~October 4~~ August 1 of each year.

4 BY adding

5 Article 1 - Mayor, City Council, and Municipal Agencies
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8 (Edition 2000)

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13 Subtitle 36. Commemorative Days

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16 ~~DEATH ON OCTOBER 4, 1951~~ BIRTH ON AUGUST 1, 1920 OF HENRIETTA LACKS, WHOSE
17 CERVICAL CANCER CELLS WERE TAKEN WITHOUT HER OR HER FAMILY'S KNOWLEDGE OR
18 CONSENT TO GREATE THE HELA LINE OF CELLS USED TO FURTHER MEDICAL SCIENCE,
19 INCLUDING CURES AND TREATMENTS FOR DISEASES SUCH AS POLIO, CANCER, AND AIDS. THE
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21 THIS IMPORTANT MOMENT IN MEDICAL HISTORY.

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[Brackets] indicate matter deleted from existing law.
Underlining indicates matter added to the bill by amendment.
~~Strike-out~~ indicates matter stricken from the bill by
amendment or deleted from existing law by amendment.

Council Bill 17-0064

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5 after the date it is enacted.

Certified as duly passed this _____ day of _____, 20__

President, Baltimore City Council

Certified as duly delivered to Her Honor, the Mayor,

this _____ day of _____, 20__

Chief Clerk

Approved this _____ day of _____, 20__

Mayor, Baltimore City