

Statement of Danell D. Pepson

My name is Danell D. Pepson. I am thirty-seven years old and I live in Loudoun County, Virginia. I am a victim of what, in my opinion, is the unscrupulous and reprehensible practices of the funeral industry.

First let me preface my remarks by stating that what I am about to detail is very distasteful, however, it is of such great importance that I ask for your deliberate examination of the facts of my case.

On April 1, 1983, I purchased a solid copper casket for the above-ground burial of my grandmother Bertha A. Pepson. In the early part of 1990, my grandmother's body had decayed and her body/embalming fluids had begun to run out of her casket and sealed mausoleum in Oak Lawn Cemetery in Uniontown, Fayette County, Pennsylvania. It was not until November of that same year, that I learned of this problem! During the interim nine months, while this "fluid" continued to leak out of the casket and mausoleum and into the vegetation and soil around the burial site; I continued to visit there and tend to the flowers that I had planted yearly in front of the mausoleum.

I was never told of the problem by the undertaker, nor the cemetery personnel, both of whom had been aware of the problem in April 1990. I was never warned to stay away and in fact I continued to visit there and scrape the thickened "fluid" from the mausoleum ledge with my hand spade. I erroneously thought that the substance was grass clippings, that had lain on the mausoleum and rotted in the summer heat.

In the fall of 1990 I eventually got my grandmothers' rotting remains on my hands and clothes. At the point, her remains had leaked down over the mausoleum ledge and into the mums which I had planted there. In the course of removing the finished flowers, I carried them against my person to a garbage receptacle in the cemetery. The air around the mausoleum was malodorous. After this experience, I contacted the undertaker, Robert Oats, and subsequently learned that my grandmother had been in an obvious state of decay from the greater part of the year, and had indeed been running out of her casket all those long months!

In April 1990 the undertaker disinterred my grandmother and placed an absorption powder in the interior of the casket and inside the front of the mausoleum door, in an attempt to stem the flow of her decaying remains. In my opinion, this initial disinterment was improper and was a feeble attempt to "cover up" a serious breakdown of the body, casket and mausoleum.

It should be noted, that in order to get my own grandparents legally disinterred, I, as the executor of my grandmother's estate, personally had to appear before the Fayette County Court of Common Pleas and offer testimony to obtain court permission and a proper disinterment permit.

I am outraged at the undertakers' conduct and that of the cemetery management! It is unacceptable! Not only did I visit Oak Law Cemetery, but many other people visited this cemetery. I, personally, had friends visit there with me as I tended to the graves of my loved ones. I can think of nothing more filthy, unsanitary and distressing, than the fact that decaying corpses interred in above-ground mausoleums, are permitted to rot and leak out into the open spaces and air in this very public place.

Clearly, this violates not only public health codes but also a moral code. When did we as a society place such disregard and lack of dignity with regard to our dead? My grandparents have been violated in their death. They no longer rest in peace, in their family plot along side their only child, my father, Wendell J. Pepson. I had to have my grandparents cremated and place their ashes elsewhere. The leakage of my grandmothers's remains was permitted to continue for so long, that her remains had leaked into the

adjoining vault and under the steel casket of my grandfather. The resulting rust compromised the integrity of his casket and burial and I could not fathom the thought of having to go through this nightmare yet again.

I have also been violated. What torment knowing that you have had the rotting remains of your loved ones on your hands and clothes. I cannot forget what it looks and smells like when you rot in your grave. I have no peaceful place to visit and memorialize y loved ones any longer.

I will never forget nor reason away this atrocity. How many more of the living must live this unending nightmare? You have te power to ensure that these after-death goods are suitable for above-ground burial. That stringent regulations are put into place to protect both the "users" of these products, and the consumers who unwittingly purchase these products and place their complete faith and trust, in the hands of the undertaker and the manufacturers of these products.

I have learned many things about this industry. I now know that what happened to my grandmother's remains is not an isolated incident. There appear to be serious problems with above-ground burials and protective sealer caskets. Experts within the field have told me that the problem with above-ground burial is "just beginning to rear it's ugly head." That "above-ground burial, a recent trend, has caused all kinds of trouble all over the country, both here and in Canada. With above-ground burial, the atmosphere changes. You have outside temperatures constantly changing from 0 degrees to 100 degrees during a year. With a sealer casket, the human remains being 90% liquid in life, has little change after death. With a liquid confined in a sealed environment, and constant change of temperature on the outside of the casket, the body will gas off moisture and chemicals that were used to prepare the body and these liquids will collect on the bottom of the casket and will, being acid, corrode or rust the bottom out of the casket."

I have also learned through an environmental health specialist with the Pennsylvania Department of Health, that a local cemetery removed both a corpse and a leaking casket from a mausoleum without court or family permission. They then locked te corpse and casket (the casket lid propped open to air dry the casket out) in a garage overnight. The cemetery worker that told both the environmental health specialist and myself about the incident, said that it was a "fly feast" in the garage the next morning. The cemetery employees, placed the leaking casket and corpse in a disaster pack (a huge plastic bag with an absorption pad in the bottom) and re-interred the body without proper permits or authorization. It should be noted that the corpse had only been interred for a period of two years before this problem surfaced.

I have volumes of information relating to problems with above-ground burial. In my opinion, the funeral industry is aware of these problems and is keeping this information from the consumers. It is also my opinion, that the funeral industry, as it exist today, is perpetuating the biggest fraud upon the American consumer in the past and current century.

Isn't it time we take a good hard look at this industry! One day, we will all either purchase these goods and services or have them purchased for us. Surely, this is of great public interest and good!

I ask you, no I beg you to hear my words and feel my pain. You have the power to stop this abuse, please d o not let me live the rest of my life, with the knowledge that all of this suffering has been mere sufferings' sake....

I fought so hard and for so long, that in the end, the legal system overwhelmed me and I could not continue to fight. I had many legal hurdles placed before me during those seven years of litigation. Still I thought that the truth would prevail and that one, so aggrieved, would feel some sense of justice and

closure. To that end, I have been solely disappointed. In my opinion, the legal system failed to protect me and my right to a jury verdict. My experience with this case, and with this subject matter has changed my life fundamentally and forever...

During my research of this subject, I found a very profound passage within a legal publication. In that case the court stated, "So long as humanity shall live in the domain of the spirit as well as of the flesh and endow mortal remains with the reverence approaching sanctity, it must follow that the law will come to the aid of him who has suffered mental anguish by the carelessness and wantonness of another.