

JACK BAILEY  
Legislative District 29  
Calvert and St. Mary's Counties

Budget & Taxation Committee



THE SENATE OF MARYLAND  
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**Senate Bill 394 – Criminal Law - Concealment of Death and Disturbing and Dismembering Human Remains**

Dear Chair Smith and Members of the Committee,

I am writing to introduce Senate Bill 394 which would provide for criminal penalties for individuals who intentionally conceal the death of another person.

Under this bill, a person may not, with the intent to conceal the death of another, knowingly and willfully dismember, destroy, remove, or otherwise obliterate by any means any portion of human remains. The bill also prohibits an individual from burying or otherwise disposing of a dead body or failing to contact law enforcement or emergency medical services if either action is done with intent to conceal the death of another.

During the interim, I heard from prosecutors in my county, St. Mary's County, about the inadequacy of Maryland's current law regarding dismembering or concealing the bodies of those who have been the victims of violent crime. It is my understanding that the only existing law that can be applied in these circumstances is a section of the Health-General Article that provides for a maximum penalty of one year in prison or a \$5,000 fine. I do not believe this is a sufficient penalty for such a serious offense, and, from my discussions with our State's Attorney in St. Mary's County, the existing penalty is not a sufficient enough deterrent and is making their efforts to hold these violent criminals responsible for their actions to the fullest extent of the law more difficult.

The bill also prohibits a person from aiding or abetting another who undertakes any of the actions prohibited by this section. A violation would be a felony, subject to up to 10 years in prison. This bill does not impose any minimum sentences but does require that any sentences imposed under this section of law be served consecutively to and not concurrent with any other sentence imposed for any other crime based on the act establishing the violation of this law.

I respectfully request a favorable report on Senate Bill 394. Thank you for your consideration.

Sincerely,

A handwritten signature in black ink, appearing to read "J. Bailey", written over a horizontal line.

Senator Jack Bailey