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January 29, 2025

The Honorable Will Smith
Chair, Judicial Proceedings Committee
11 Bladen Street
Annapolis, MD 21401

Dear Chair Smith and Committee Members:

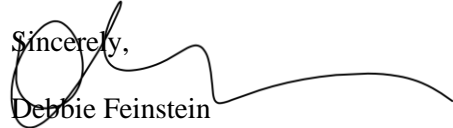
On behalf of the Montgomery County State's Attorney's Office and the Maryland State's Attorneys' Association, I write in support of SB394—Criminal Law – Concealment of Death and Disturbing and Dismembering Human Remains. I am the Chief of the Special Victims Division for the Montgomery County State's Attorney's Office and the Chair of the Montgomery County Elder/Vulnerable Adult Abuse Task Force.

Several years ago, I handled a Montgomery County criminal case involving the neglect of a vulnerable adult resulting in death (Section 3-605, Criminal Law Article) and disposing of a body in an unauthorized place (Section 5-514, Health General Article). In this case, the victim's son, aged 50, was the caregiver for his father, aged 75. Ultimately, the victim's son engaged in a course of neglect that culminated in his father's death sometime in winter/spring 2021. The victim's son, however, left his father's body in their shared home, and did not report his father's death. In addition, he concealed his father's death from family members, and continued to collect his father's retirement benefits. In fall 2021, police entered the house with a search warrant and discovered the victim's decomposed remains on the floor in the bedroom. The medical examiner concluded that the victim died at least 3 months before his remains were discovered. This outcome was devastating for family members; not only did they have no idea their loved one had passed, but they learned that the victim's own son left the victim to decompose on his bedroom floor.

Section 5-514 of the Health General Article prevents an individual from burying or disposing of a body except in certain locations (e.g., a cemetery or a family burial plot). This statute has a maximum penalty of one year and \$5000. This statute does not adequately address the circumstance where someone knows of and/or causes a death, fails to report it, and conceals that death for months.

Senate Bill 394 clearly addresses the facts in the Montgomery County case and creates a 10 year maximum penalty commensurate with the crime committed. I ask this Committee to issue a favorable report on SB394.

Sincerely,


Debbie Feinstein
Chief, Special Victims Division
Senior Assistant State's Attorney