

Bill Number: HB 674
Scott D. Shellenberger, State's Attorney for Baltimore County
Support

WRITTEN TESTIMONY OF SCOTT D. SHELLENBERGER,
STATE'S ATTORNEY FOR BALTIMORE COUNTY,
IN SUPPORT OF HOUSE BILL 674
CRIMINAL LAW – CONCEALMENT OF DEATH AND DISTURBING AND
DISMEMBERING HUMAN REMAINS

I write in support of House Bill 674 which makes it a crime to conceal the death of another.

This proposed new Law fills a possible gap in Maryland Law should a body be found and the State is unable to prove some form of murder. This came very close to happening in Baltimore County.

In July of 2021 a police officer pulled over a car traveling at a high rate of speed. During the stop the driver Nicole Johnson learned that the car was going to be towed due to a bad tag. As Johnson started taking belongings out of her trunk the officer noticed a strong odor coming from a suitcase that also had maggots on the outside. Johnson began to remove some blankets from the suitcase and eventually the officer sees the decomposing body of a young child. The child was later identified as 7 year old Joshlyn Johnson. A second deceased child was also recovered from the trunk and was identified as Larry O'Neil.

The bodies were severely decomposed but from what the medical examiner could determine they ruled the death of both children as homicide but by unspecified means. We were able to get a conviction on two counts of child abuse resulting in death, a specific statute dealing directly with this crime. Sentencing is in two weeks.

A great deal of the proof in this case was provided by the defendant's statements. These statements coupled with the very specific statute made it possible to obtain the appropriate result.

Had these two bodies been adults it would have been a very different story. That is why a specific statute as proposed by HB 674 is necessary. Being able to prove a traditional homicide with these facts would have been extremely challenging.

Had we not had the specific child abuse statute we may have been limited to proving failure to report the death of a child. Penalty three years. Disposing of a body in an unauthorized place. A one year penalty. Those penalties clearly would have been an insufficient result.

This is why we need House Bill 674. We need to fill this gap in Maryland Law should similar facts occur to an adult.

I urge a favorable report.