



State Senator Sheila Harsdorf

Date: June 2, 2015

To: Senate Committee on Judiciary and Public Safety

Fr: Senator Sheila Harsdorf

Re: Senate Bill 133 – Penalty for illegally hiding or burying a corpse

Dear Senator Wanggaard and Committee Members:

Thank you for holding a public hearing on Senate Bill 133 (SB 133), which seeks to increase the penalty for hiding or burying a corpse illegally.

Under current law, hiding or burying a corpse is a Class G felony, punishable by a fine of up to \$25,000 or imprisonment for up to ten years, or both. The penalty for this crime is less than that of mutilating a corpse, which is a Class F felony and punishable by a fine of up to \$25,000 or imprisonment for up to twelve years and six months, or both. Since both of these penalties are intended to punish those that seek to conceal their crimes to avoid apprehension and prosecution, this legislation would create uniformity by bringing the penalties for hiding a corpse in line with the crime of mutilating a corpse.

I introduced SB 133 at the request of a district attorney in my district who discovered this inconsistency during the prosecution of a murder case in which she was involved. The case that spurred the request involved three defendants that murdered a man and buried him in a shallow grave in a rural area. In the process of prosecuting the criminals, the district attorney found that the penalty for mutilating a corpse, as well as penalties for other lesser crimes such as committing a burglary, were more severe than for concealing a corpse. Given that the act of hiding or burying a corpse affects both the investigation of a crime and deprives families of closure and the opportunity to mourn the loss of a loved one, I encourage your support for passing this legislation that would make the penalty for this crime consistent with that of mutilating a corpse.

Thank you again for your time and consideration of this legislation.