



**State Representative Ryan Smith  
93<sup>rd</sup> Ohio House District**

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**House Bill 161- Sponsor Testimony  
Ohio House Criminal Justice Committee  
April 4<sup>th</sup>, 2019**

Chairman Lang, Ranking Member Leland, and members of the House Criminal Justice Committee, thank you for giving me the opportunity to offer sponsor testimony on House Bill 161. This bill seeks to increase the penalties for abuse of corpse offenses that involves the dismemberment or mutilation of a human corpse.

Current statute regarding this issue is sparse and does not expressly prohibit the dismemberment of a human body but only the “abuse of a corpse”. It also limits the punishment of an individual who has committed such an act to penalty of a fifth-degree felony with a maximum sentence of twelve months in prison if no additional charges are filed. House Bill 161 will establish stricter degrees of punishment for dismemberment crimes. The penalty structure in HB 161 is modeled after a similar Illinois law and specifies four offenses with corresponding penalties.

Under HB 161, an individual who knowingly dismembers a human corpse will be charged with a third-degree felony.

The impetus for proposing these changes stems from a case in Gallia County several years ago. As you know, the ongoing opioid epidemic in Ohio is responsible for countless lives lost each day. One such victim of this epidemic was 32-year old Jessica Barry, a resident of Gallia County and mother of three. Jessica died of a heroin overdose in July of 2016 while in the presence of a male acquaintance.

In what was later revealed as a truly heinous act, the male acquaintance of Jessica dismembered and transported her corpse across state lines into West Virginia where he buried the remains. In many cases, the perpetrator of such an act is also the one who commits the murder. However, as in this instance, the perpetrator was not directly responsible for the victim's death, but chose to dismember the body after the fact. Last year, the offender was given the maximum sentence allowable under state law for his crimes, a paltry four years in prison. This bill seeks to update Ohio law to establish penalties that are more stringent for individuals who commit such gruesome acts.

Thank you Mr. Chairman and members of the committee for your consideration. I would be happy to answer any questions.