



# Maricopa County Attorney

BILL MONTGOMERY  
301 WEST JEFFERSON STREET • PHOENIX, AZ 85003  
(602) 506-3411 • TDD (602) 506-4352 • FAX (602) 506-8102  
WWW.MARICOPACOUNTYATTORNEY.ORG

## NEWS RELEASE

### MEDIA CONTACT

Jerry Cobb  
Public Information Officer  
Cobbj@mcao.maricopa.gov  
(602) 506-3170 (office)  
(602) 400-5664 (cell)

### Elizabeth Johnson Sentenced to 5 1/4 Years in “Baby Gabriel” Case

PHOENIX, AZ (December 7, 2012) – Elizabeth Joanne Johnson (D.O.B. 7/24/86) has been ordered to spend 5.25 years in the Arizona Department of Corrections for crimes related to the disappearance of her eight month-old son, Gabriel Johnson, who has been missing for the last three years. Under terms of the sentence imposed by the Honorable Joseph Kreamer, Johnson will also serve a term of probation totaling four years upon her release, and receive nearly three years of credit towards her sentence for time already served.

“While this sentence represents the result of our best efforts to hold this defendant accountable for her criminal actions, our hearts and prayers are with Gabriel Johnson today, whose whereabouts and ultimate fate remain unknown,” said Maricopa County Attorney Bill Montgomery. “We can only hope that the defendant will use her time in custody to reflect on what she has done and provide the information Gabriel’s family and our community desperately seek,” he added.

In June, 2009, following a disagreement with Gabriel’s father, Logan McQueary, Elizabeth Johnson travelled to Boston, Massachusetts to visit her grandmother. While returning to Arizona, Johnson met Tammi Peters Smith during an airport layover in Indianapolis, Indiana and discussed having Smith and her husband adopt Gabriel. Six months later, after she and McQueary decided to end their relationship, Johnson contacted Tammi Smith and asked if she was ready to adopt the child.

Against Logan McQueary’s wishes, Johnson met with Smith and her husband on December 9, 2009 and gave Gabriel to them along with temporary guardianship paperwork notarized at a local bank. She then asked McQueary to sign adoption paperwork, which he refused to do. On December 17, a family court awarded Johnson and McQueary joint legal custody of Gabriel and ordered McQueary to have physical custody of the child for a period beginning December 20. When McQueary later called Johnson to make arrangements to pick up his son, she told him he would never see the boy again.

Johnson then left Arizona with Gabriel and travelled to Texas, where she subsequently sent text messages to McQueary in which she claimed to have killed Gabriel. She made the same claim in a phone conversation with McQueary, which he recorded. McQueary reported these incidents to the Tempe Police Department, which began an investigation and search for Johnson and Gabriel.

Johnson was finally located in Miami, Florida on December 30, 2009 and claimed she had given Gabriel to a couple in a park near where she stayed in Texas. She later gave several different versions of this story, none of which resulted in the successful location of Gabriel, who remains missing to this day. Johnson was arrested in Miami and returned to Arizona, where she was indicted by a Maricopa County Grand Jury on one count of Kidnapping, one count of Child Abuse, one count of Conspiracy to Commit Custodial Interference and one count of Custodial Interference. The Child Abuse count was subsequently dismissed.

Tammi Peters Smith was convicted of Conspiracy to Commit Custodial Interference and Forgery and sentenced on July 6, 2012 to serve 30 days in jail and three years of supervised probation.

On October 18, 2012, after a fourteen day trial, Johnson was found guilty on the lesser included count of Unlawful Imprisonment, and guilty on the two Custodial Interference counts.

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