

Testimony on SB0348 - Visual Surveillance with Prurient Intent - Private Place
Position: FAVORABLE

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The Honorable William C. Smith & Members of the Senate Judicial Proceedings Committee
2 East Miller Senate Office Building
Annapolis, MD 21401

Dear Chair Smith, Vice Chair Waldstreicher, & Members of the Judicial Proceedings Committee:

My name is Taryn Quaytman, and I am writing to express my sincere support of Senator Love's SB0348, Visual Surveillance with Prurient Intent - Private Place. I am a former Montgomery County Public School teacher, and I have been a Maryland resident for most of my life. I have spent the last 22 months healing from the predatory abuse I experienced and the last five months healing from a legal system that failed.

On March 24, 2023, I had been happily living for more than a year and a half with my best friend, Kimberly, and her partner of 10 years, James. But one day later, on March 25, I stood in the shower—naked, wet, and petrified—as the bathroom door opened, and the camera lenses of James's iPhone slid into view. Kimberly, engaged to James at the time, was asleep in their bedroom a few feet away.

I would soon learn this act did not occur in isolation. Kimberly discovered a note on James's phone, unveiling video after video of me naked in the shower and on the toilet. One video dated back to January of 2022, meaning James had recorded me—naked and without consent—for at least 15 months. His behavior was escalating: In March of 2023 alone, James filmed me in the bathroom on March 7, 9, 12, 13, 17, 19, 21, 24, and 25.

I took three cell phones, one micro webcam, and one personal computer James built himself to the police. Two of these devices were searched, yielding 29 videos and 65 images of me naked. I turned to the legal system, hopeful that although I was unable to protect myself, surely the law would. Seventeen months later, James was found not guilty on every count of visual surveillance. While he was convicted of a single count of stalking, the Court found James not criminally accountable for the 23 counts of visual surveillance with prurient intent. I learned that the Court must rule in favor of the defendant when there is ambiguity present within a law.

The ambiguity in this case? The law does not explicitly list a residential bathroom, presumably one of the most private places imaginable, as a private place. James's actions were intentional, premeditated, and predatory, and yet he wasn't held accountable due to a semantic technicality. This ruling set a precedent: *As the law currently stands, in the state of Maryland, recording someone naked in their own bathroom without consent does not violate the visual surveillance law.*

It is my distinct intention to do everything within my power to prevent another individual from ever undergoing the same indignity, only to be informed that a poorly written law is the reason justice will not be served. The law failed to protect me, and it will fail to protect future victims. But it doesn't have to. We have a beautiful opportunity to make a change and to do right by future victims - violated, afraid, and brave enough to ask for help.

SB0348 is fair. It clarifies that the given list of private places is non-exhaustive, and it eliminates ambiguity:
The bathroom in your home is private.

I strongly urge this committee to issue a favorable report on SB0348 and to consider the tremendous impact that will come from such a simple change.

Thank you for your time and consideration.

Sincerely,
Taryn Quaytman