



MARYLAND LEGISLATIVE LATINO CAUCUS

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TO: Delegate Luke Clippinger, Chair
Delegate Sandy J. Bartlett, Vice Chair
Judiciary Committee Members
FROM: Maryland Legislative Latino Caucus
DATE: January 31st, 2025
RE: HB0392 Evidence – Wiretapping and Electronic Surveillance
– Fair Housing Testing

The MLLC supports HB392 Evidence – Wiretapping and Electronic Surveillance – Fair Housing Testing, 2025.

The MLLC is a bipartisan group of Senators and Delegates committed to supporting legislation that improves the lives of Latinos throughout our state. The MLLC is a crucial voice in the development of public policy that uplifts the Latino community and benefits the state of Maryland. Thank you for allowing us the opportunity to express our support of HB392.

The proposed bill seeks to allow the lawful interception of oral communications under specific circumstances to aid in fair housing testing. The bill expands the definition of "nonprofit civil rights organization" to include qualified fair housing enforcement organizations and civil rights groups with experience in complaint intake, investigation, and enforcement of fair housing laws. It allows individuals working as fair housing testers to intercept oral communications if they are a party to the communication and the interception is conducted to gather evidence of fair housing violations under federal, state, or local laws.

To protect privacy and limit misuse, the bill stipulates that intercepted communications and derived evidence may only be used for enforcing fair housing laws. Such evidence cannot be admitted in other trials, hearings, or proceedings unless explicitly allowed for this purpose. By enabling fair housing testers to collect critical evidence while maintaining strict safeguards, the bill aims to strengthen the enforcement of fair housing protections. If enacted, the bill will take effect on October 1, 2025.

This bill directly supports fair housing rights, an issue of particular importance to Latino communities that often face housing discrimination.¹ Unlike the previous version, which addressed wire, oral, and electronic communications, this year's iteration refines its scope to focus exclusively on oral communication for a more targeted approach to protecting fair housing rights.

For these reasons, the Maryland Legislative Latino Caucus respectfully requests a favorable report on HB392.

¹ [Aranda, Claudia. "Housing Discrimination in America: Lessons from the Last Decade of Paired-testing Research." Urban Institute, 27 Feb. 2019.](#)