



State of Maryland
Department of State Police
Government Affairs Section
Annapolis Office (410) 260-6100

POSITION ON PROPOSED LEGISLATION

DATE: February 5, 2020

BILL NUMBER: Senate Bill 246 **POSITION:** Favor with Amendments

BILL TITLE: Criminal Procedure – Cell Site Simulator Technology

REVIEW AND ANALYSIS:

This legislation seeks to authorize the court to issue an order directing a law enforcement agency to use a cell site simulator device and authorize the law enforcement officer to use the cell site simulator in accordance with the requirements of the bill.

Under current law, law enforcement agencies obtain a court order under Criminal Procedures Article 1-203.1 for any operations of the cell site simulator or must meet the existing exigent circumstances standard. The standard for a court order already requires probable cause to have the order issued.

The Maryland State Police uses the cell site simulator technology as one tool during complex investigations. The requirements stated in this bill are already established policy that our investigators follow. The Department is in support of codifying the parameters of how the technology is to be used. Court oversight is also important to ensure the technology is used properly.

The Department is in support of the amendment proposed by the Maryland State's Attorney's and urges the committee to give Senate Bill 246 a favorable report with their recommended amendment.