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**Working to end sexual violence in Maryland**

P.O. Box 8782  
Silver Spring, MD 20907  
Phone: 301-565-2277  
Fax: 301-565-3619

For more information contact:  
Lisae C. Jordan, Esquire  
443-995-5544  
[www.mcasa.org](http://www.mcasa.org)

**Testimony Opposing House Bill 1211**  
**Lisae C. Jordan, Executive Director & Counsel**  
February 21, 2020

The Maryland Coalition Against Sexual Assault (MCASA) is a non-profit membership organization that includes the State's seventeen rape crisis centers, law enforcement, mental health and health care providers, attorneys, educators, survivors of sexual violence and other concerned individuals. MCASA includes the Sexual Assault Legal Institute (SALI), a statewide legal services provider for survivors of sexual assault. MCASA represents the unified voice and combined energy of all of its members working to eliminate sexual violence. We urge the Judiciary Committee to report unfavorably on House Bill 1211.

**House Bill 1211 – Visual Surveillance**

Maryland has two statutory provisions criminalizing visual surveillance of another in a private place without consent: Criminal Law §3-901 and §3-902. Section 3-902 requires prurient intent and has a higher penalty; section 3-901 does not involve prurient intent and has a lower penalty. House Bill 1211 strikes the words “prurient intent” from §3-902. As matter of policy, MCASA believes that visual surveillance with prurient intent should be penalized more harshly.

MCASA learned from the sponsor that the purpose of this bill is to address visual surveillance in temporary lodging, such as AirBNBs. Section 3-902 has more detailed language regarding the “private areas of individual” and what is considered a “private place” such as a hotel, motel, or other lodging facility. It may be that either §3-901 needs additional detail or that other clarification is needed to ensure that guests in temporary lodging are protected from inappropriate surveillance. We would be happy to work with the sponsor to address these concerns, but respectfully oppose the bill as drafted.

**The Maryland Coalition Against Sexual Assault urges the  
Judiciary Committee to  
report unfavorably on House Bill 1211**