

MARYLAND JUDICIAL CONFERENCE
GOVERNMENT RELATIONS AND PUBLIC AFFAIRS

Hon. Mary Ellen Barbera
Chief Judge

187 Harry S. Truman Parkway
Annapolis, MD 21401

MEMORANDUM

TO: Senate Judicial Proceedings Committee
FROM: Legislative Committee
Suzanne D. Pelz, Esq.
410-260-1523
RE: Senate Bill 383
Court Order to Use a Cell Site Simulator or Obtain Location
Information from an Electronic Device - Procedures
DATE: January 27, 2021
(2/11)
POSITION: Support

The Maryland Judiciary supports Senate Bill 383. Senate Bill 383 provides the ways in which an application for a court order authorizing or directing a law enforcement officer to use a cell site simulator or obtain location information from an electronic device may be submitted to a judge; provides for the ways in which an applicant for the court order and a judge may converse about the court order application; and provides for the ways in which a judge may issue the court order.

The Judiciary believes this bill is practical as it allows for an application for a court order to be submitted to a judge in-person, by secure fax, or by secure electronic mail if accompanied by the affidavit, proposed order, and a printable image of the application (fax and email) or the paper application (in-person delivery). Further, this bill allows for the applicant and judge to converse about the application in multiple ways (in person, phone, or video). Finally, this bill outlines procedures for sending the signed order either in person, via fax, or through secure electronic mail. The bill will alter the ways in which these applications are processed but will allow for more options (in person, fax, and secure electronic mail). This bill provides more tools for both the court and law enforcement and can allow for a more efficient process when obtaining or requesting such orders.

cc. Hon. Robert Cassilly
Judicial Council
Legislative Committee
Kelley O'Connor