



St., Baltimore, MD 21201  
800-492-1964  
| tdd 410-539-3186

---

**To:** Members of The House Judiciary Committee

**From:** Doyle Niemann, Chair, Legislative Committee, Criminal Law and Practice Section

**Date:** February 4, 2022

**Subject:** **SB328 – Criminal Law – Stalking - Definition**

**Position:** **Support**

---

The Legislative Committee of the Criminal Law & Practice Section of the Maryland State Bar Association (MSBA) **Supports SB328 – Criminal Law – Stalking - Definition.**

This bill updates the current law in regards to stalking to take into account the increasing incidence of stalking behavior by electronic means, including the hidden tracking of victims.

Current law covers a variety of activities, but its language about “approaching or pursuing another” has often been interpreted to mean actual physical contact or presence. In today’s connected world, the offensive actions meant to be covered by the statute often occur through electronic means.

This bill clarifies that staking includes both conduct that occurs in person and by electronic communication as already defined. It also would cover the use of electronic devices, which are not common, that can be surreptitiously used to track the location of a victim without their knowledge or consent.

This is badly needed change that will bring the law into the current era.

For the reasons stated, we **Support SB328 – Criminal Law – Stalking - Definition.**

If you have questions about the position of the Criminal Law and Practice Section’s Legislative Committee, please feel free to address them to me at 240-606-1298 or at [doyleniemann@verizon.net](mailto:doyleniemann@verizon.net).

Additional information can also be provided by Shaoli Katana at MSBA - [shaoli@msba.org](mailto:shaoli@msba.org).