
To: Members of the House Judiciary Committee

From: Family & Juvenile Law Section Council (FJLSC)

Date: January 27, 2022

Subject: House Bill 148:
Criminal Law – Stalking – Definition

Position: SUPPORT

The Maryland State Bar Association (MSBA) FJLSC **supports House Bill 148 – Criminal Law – Stalking - Definition.**

This testimony is submitted on behalf of the Family and Juvenile Law Section Council (“FJLSC”) of the Maryland State Bar Association (“MSBA”). The FJLSC is the formal representative of the Family and Juvenile Law Section of the MSBA, which promotes the objectives of the MSBA by improving the administration of justice in the field of family and juvenile law and, at the same time, tries to bring together the members of the MSBA who are concerned with family and juvenile laws and in reforms and improvements in such laws through legislation or otherwise. The FJLSC is charged with the general supervision and control of the affairs of the Section and authorized to act for the Section in any way in which the Section itself could act. The Section has over 1,200 attorney members.

The purpose of this bill is to bring current the definition of stalking so that the means by which victims are most commonly stalked today are covered by the stalking statute. In today’s world most stalking type behavior involves electronic communication and tracking, such as POS and spyware on a victim’s computer, not the physical forms of stalking addressed in the original statute. Because the original statute was passed before such electronic methods of stalking type behavior were in existence, the current statute only addressed physical forms of stalking.

In order for the statute to protect victims from the type of abuse contemplated by the original statute, the statute must be amended to cover the behaviors used by perpetrators in the current environment to control and cause fear. This bill addresses this situation and appropriately includes a more current definition of stalking.



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The FJLSC urges the House Judicial Proceedings, for the reasons stated above, to issue a favorable report on HB 148.

Should you have any questions, please contact Michelle Smith by telephone at (410) 280-1700 or by e-mail at msmith@lawannapolis.com.