

**AISHA N. BRAVEBOY**  
STATE'S ATTORNEY



**JASON B. ABBOTT**  
PRINCIPAL DEPUTY STATE'S ATTORNEY

**State's Attorney for Prince George's County**  
14735 Main Street, Suite M3403  
Upper Marlboro, Maryland 20772  
301-952-3500

January 31, 2023

Testimony in **Support** of

**HB 0126 – Criminal Law – Visual Surveillance with Prurient Intent –  
Private Place and Minor Victim**

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Dear Chairman Clippinger, Vice Chairman Moon, and Members of the Committee:

I am writing to show my strong support for House Bill 0126 on behalf of State's Attorney Aisha Braveboy and the Maryland State's Attorneys' Association, and to urge a favorable report.

This bill brings much needed updates to the current statute criminalizing conducting visual surveillance with prurient intent. This is an important law that protects a person's expectation of privacy to be free from unwanted surveillance by means of direct sight, the use of mirrors, or the use of cameras. HB 0126 serves to strengthen this law by broadening the areas in which a person can reasonably have an expectation of privacy and by strengthening the penalties when the privacy of a minor is violated.

The current definition of a "private place" includes a room in many different enumerated locations, to include an office, a restaurant, and a school, among others. HB 0126 adds "a residence" to this list. This is an important expansion, especially when considering the victimization of minors through surveillance behavior.

As the Chief of the Special Victims & Family Violence Unit in Prince George's County, I have seen numerous cases where a trusted family member has placed a camera in a minor's bedroom or bathroom for the purpose of recording him or her with prurient intent. This behavior creates paranoia and mistrust in victims who cannot have privacy even in what should be the most protected spaces in a home or elsewhere.

In addition to expanding the definition of “private place,” HB 0126 also strengthens the penalty for committing this crime against a minor. While the current statute only contemplates imprisonment up to 1 year, HB 0126 allows for imprisonment up to 5 years if the victim was a minor at the time of the offense and the offender was at least 4 years older than the victim.

HB 0126 strengthens Maryland law to protect our most vulnerable community members in places where they should have the most privacy. For the foregoing reasons, I respectfully urge a favorable report, and ultimately passage, on HB 0126.

Sincerely,



Jessica L. Garth  
Chief, Special Victims & Family Violence Unit  
State’s Attorney’s Office for Prince George’s County