

MARYLAND JUDICIAL CONFERENCE
GOVERNMENT RELATIONS AND PUBLIC AFFAIRS

Hon. Matthew J. Fader
Chief Justice

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 632
Peace Orders – Visual Surveillance
DATE: January 31, 2024
(2/16)

COMMENT PAPER

The Judiciary respects the separation of powers doctrine and acknowledges that the legislature is the policy-making branch. As such, the Judiciary has no position on the policy aims of this legislation and defers to the legislative branch on such matters.

The Judiciary only writes to point out that the bill’s language, i.e., “areas of the petitioner’s residence where the petitioner has a reasonable expectation of privacy,” is broad and may be difficult to apply. Additionally, it should be noted that § 3-1505(d) specifically limits the relief that the court may grant and, to the extent that this new language is designed to address visual surveillance through the use of cameras, the Court may not have the statutory authority to address that concern.

cc. Hon. Paul Corderman
Judicial Council
Legislative Committee
Kelley O’Connor