



# NAACP

Maryland  
STATE CONFERENCE

**Testimony to the House Judiciary Committee**  
**HB 392: Evidence – Wiretapping and Electronic Surveillance – Fair Housing Testing**  
**Position: Favorable**

February 07, 2024

The Honorable Delegate Luke Clippinger, Chair  
House Judiciary Committee  
House Office Building  
Annapolis, Maryland 21401

Honorable Chair Clippinger and Members of the Committee:

The Maryland State Conference of the NAACP is an organization that advocates equity for all, including individuals and their families. Every person has a right to fair housing free of discriminatory practices and that requires the ability for The Department of Housing and Urban Development to investigate fair housing complaints, and for them to ensure that providers are compliant with state and federal laws.

We are in favor of HB 392 and thank Delegate Stewart and Young for introducing this legislation as one of the ways to ensure compliance is the ability to specifically and accurately identify any instances of discrimination is by posing as a prospective tenant and having the ability to record the interaction with the provider.

Now, let's be clear, there is an interest in protecting individuals from being unknowingly surveilled, but this instance is very different. It is very narrowly tailored to fair housing testing, and it will take place in a commercial setting so the recording will not infringe on one's personal right to privacy. This bill strengthens fair housing enforcement & justice in Maryland, it protects testers, and it protects housing providers from bias and false allegations while also being efficient in the allocation of resources.

For these reasons, we support HB 392 and strongly urge your support to protect all the citizens of Maryland.

In Service,

NaShona Kess  
Executive Director