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Testimony in **Support** of

**HB 0288 – Criminal Law – Visual Surveillance with Prurient Intent –  
Private Place and Minor Victim**

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

I am writing to show my strong support for House Bill 0288 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 0288 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 0288 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 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 0288 also strengthens the penalty for committing this crime against a minor. While the current statute only contemplates imprisonment up to 1 year, HB 0288 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. This increased penalty reflects the serious nature of committing this offense against a minor victim.

HB 0288 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 0288.

Sincerely,



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