



LEGISLATIVE BLACK CAUCUS OF MARYLAND, INC.

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January 15, 2025

Chairman William C. Smith, Jr.
Judicial Proceedings Committee
2 East Miller Senate Office Building
Annapolis, Maryland 21401

Dear Chairman Smith and Members of the Committee,

The Legislative Black Caucus of Maryland offers its strong and favorable support for Senate Bill 107 – Evidence – Interception of Oral Communications – Fair Housing Testing. This bill proposes the legalization of intercepting oral communications for the purpose of fair housing testing, under specific conditions. It aligns with our commitment to combating housing discrimination and promoting fair, equitable housing practices for all Marylanders, particularly Black residents and other marginalized groups. By providing the legal framework necessary for fair housing testers to gather evidence of discriminatory practices, Senate Bill 107 strengthens the state's ability to address systemic inequities in housing. **Senate Bill 107 is a part of the Black Caucus' 2025 legislative priorities.**

As Maryland's population becomes more diverse, it is crucial that our laws evolve to address the systemic discrimination that persists in housing practices, especially against Black and other historically underserved communities. Housing discrimination continues to be a significant issue in Maryland, as it does nationwide. According to the National Fair Housing Alliance, Black Americans are still routinely subjected to discriminatory practices in housing, including being shown fewer housing options, being quoted higher rents, or being denied access to housing based on their race. Such practices contribute to racial segregation, wealth disparities, and unequal access to opportunities.

Senate Bill 107 is an essential tool in addressing these inequities. By allowing fair housing testers—who are often individuals or organizations representing marginalized communities—to legally intercept oral communications, the bill equips them with the ability to gather crucial evidence of housing violations. Fair housing testing is a critical mechanism for uncovering discriminatory behavior in housing markets. It allows testers to simulate real-world housing scenarios to assess whether discrimination occurs, helping to identify and correct practices that violate fair housing laws.

This bill directly benefits Black Marylanders and other marginalized groups who face persistent barriers to accessing fair and affordable housing. Studies have shown that discrimination in housing exacerbates the wealth gap and hinders social mobility. The bill provides civil rights organizations and nonprofit groups

with a legal framework to detect and challenge discriminatory practices, giving them the tools to advocate for fair housing policies and hold violators accountable.

Moreover, the bill includes vital protections to ensure the intercepted communications are used only for the enforcement of fair housing laws, preventing misuse in other legal proceedings. This safeguard ensures that the privacy and integrity of the individuals involved in the communication are respected, while still allowing the information to serve its intended purpose of fostering equal opportunity in housing.

Senate Bill 107 will empower organizations working on the front lines of fair housing enforcement, ensuring they can effectively detect discriminatory practices that harm Black and marginalized communities. The bill aligns with our efforts to address systemic racism and promote racial equity in Maryland by creating a legal framework that makes it easier to expose and fight discrimination in housing. In doing so, it strengthens the state's ability to protect vulnerable groups from the harmful effects of racial discrimination and segregation.

This bill represents a significant step forward in ensuring fair housing for all Marylanders—particularly Black residents and other marginalized groups—by strengthening the state's ability to enforce fair housing laws and combat discrimination in housing markets. **For these reasons, the Legislative Black Caucus of Maryland strongly supports Senate Bill 107 and urges this committee to make a favorable report.**

Legislative Black Caucus of Maryland