



Maryland State's Attorneys' Association

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DATE: **January 21, 2025**

BILL NUMBER: **HB 236**

POSITION: **Favorable**

The Maryland State's Attorneys' Association (MSAA) supports House Bill 236 and urges this Committee to issue a favorable report.

The right to privacy in one's own home is a fundamental aspect of the personal freedoms all Marylanders enjoy. One should be able to go about their daily life without the concern that the private areas of their residence are being surveilled and that their personal moments, spaces, and interactions are being monitored and observed. Emerging technologies, however, have allowed ill-intentioned actors to intrude upon and violate this privacy with increased ease, and the legal system is currently insufficiently equipped to address these issues with the haste demanded by their severity.

HB 236 permits individuals who have been the target of intentional visual surveillance of aspects of their residence in which they enjoy a reasonable expectation of privacy to apply for and receive a peace order from a court. Importantly, this bill also vests courts with the authority to order the removal or repositioning of the device used to conduct the visual surveillance within fifteen days of the issuance of a final peace order.

This bill uses an existing legal system – the peace order process contained in MD. CODE ANN., CTS. & JUD. PROC. § 3-1501 *et seq.* – to address a relatively recent problem increasingly seen in our jurisdictions by simply expanding the scope of who is eligible to seek relief in court. This bill does not create a new crime or impose a new penalty, and courts will still serve the as gatekeepers in deciding whether the circumstances presented justify the issuance of a peace order. Accordingly, MSAA urges this committee to ensure all Marylanders can swiftly compel the removal of devices surveilling private areas of their residence by issuing a favorable report on HB 236.