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DEPUTY MAJORITY WHIP

Judiciary Committee

Subcommittees

Chair, Family and Juvenile Law

Public Safety



The Maryland House of Delegates
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THE MARYLAND HOUSE OF DELEGATES
ANNAPOLIS, MARYLAND 21401

February 4, 2025

The House Judiciary Committee
The Honorable Luke Clippinger
6 Bladen Street,
House Office Building, Room 101
Annapolis, MD 21401

Re: House Bill 437: Criminal Law-Visual Surveillance with Prurient Intent-Private Place

Dear Chairman Clippinger and Members of the Committee:

This legislation is necessary to bring much needed expansion and updates to the categories listed as a “private place”, wherein a person has a reasonable expectation that visual surveillance with prurient intent is prohibited.

Under current law, Maryland Code, Criminal Law Article § 3-902, defines a “private place” as a room in which a person can reasonably be expected to full or partially disrobe and has a reasonable expectation of privacy. The law provides a listing of nine (9) categories where visual surveillance with prurient intent is prohibited: an office, business, or store; a recreational facility; a restaurant or tavern; a hotel, motel, or other lodging facility; a theater or sports arena; a school or other educational institution; a bank or other financial institution; any part of a family child care home used for the care and custody of a child; or another place of public use or accommodation.

Unfortunately, there is one private place where there should always be an expectation of privacy and it is not listed in the above categories, a person’s residence. HB 437 seeks to add “**a residence**” to the above list. A person’s home is the one crucial place where an individual should have an expectation of privacy and where visual surveillance with prurient intent should be prohibited.

Additionally, the last item in the above list (number 9) should be clarified by adding, “**private or**”. The new category would read: “or another private or public use or accommodation”. This addition is necessary to ensure that most private places where there would be a reasonable expectation of privacy are prohibited from visual surveillance with prurient intent.

Remember the focus here is to prevent unwanted behavior that interferes with a reasonable expectation of privacy in certain circumstances and places. HB437 seeks to do so by expanding and updating the categories where visual surveillance with prurient intent is prohibited.

For the reasons stated above, I respectfully request a favorable report for House Bill 437.

Sincerely,

A handwritten signature in black ink that reads "Charlotte Crutchfield". The signature is written in a cursive, flowing style.

Delegate Charlotte Crutchfield