



www.marylandwomen.org

Maryland Commission for Women

A Commission of the Maryland Department of Human Services

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www.marylandwomen.org

January 26, 2022

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The Honorable William C. Smith, Chair
The Honorable Jeffrey Waldstreicher, Vice Chair
Senate Judicial Proceedings Committee
Miller Senate Office Building, 2 East Wing
11 Bladen St., Annapolis, MD 21401 – 1991

Re: SB0328 – Criminal Law - Stalking - Definition

Dear Senators Smith and Waldstreicher and Members of the Senate Judicial Proceedings Committee:

The Maryland Commission for Women (MCW) urges your support of SB0328 which would expand the current definition of stalking to include electronic communication and tracking devices.

The MCW was established in 1965 and was set in state law in 1971. An office of the Department of Human Services, the Commission is a 25-member advisory board whose duties outlined in its enabling legislation include: study the status of women in our state, recommend methods of overcoming discrimination, recognize women's accomplishments and contributions, and provide informed advice to the executive and legislative branches of government on the issues concerning the women of our state. It is to fulfill this mandate that the Commission writes to you today.

(The positions expressed in this letter are those of the Commission for Women and do not necessarily reflect the position of the Governor or the Department of Human Services.)

As you know, stalking in Maryland is currently defined as “a malicious course of conduct that includes approaching or pursuing another where the person intends to place or knows or reasonably should have known the conduct would place another in reasonable fear of suffering serious bodily injury, assault, rape or sexual offense, false imprisonment, or death, or that a third person likely will suffer any of the acts listed.” MD. Criminal Law Code Ann. §3-802 (2020). Stalking today, often referred as “modern stalking” is much more than in person conduct of following a person around by foot or vehicle. With the advancement of technology, a person can be easily stalked electronically.

Through the use of electronic communication and tracking devices, such as spyware placed on a person's phone, computer, vehicle, or other device, a person's conduct and location can be monitored and pinpointed without the person's knowledge and consent. Once detected, modern stalking is often difficult to prosecute in Maryland due to our narrow definition of stalking.

Senate Bill 0328 is a step in the right direction in providing recourse for victims of modern stalking. The bill expands the definition of stalking to include conduct that occurs by electronic means. This bill gives our prosecutorial offices the means to seek justice on behalf of victims.

We strongly urge your support of SB0328.

With very best regards,



Yun Jung Yang, Chair
Maryland Commission for Women