



Maryland Chiefs of Police Association Maryland Sheriffs' Association



MEMORANDUM

TO: The Honorable Luke Clippinger, Chair and
Members of the Judiciary Committee

FROM: Darren Popkin, Executive Director, MCPA-MSA Joint Legislative Committee
Andrea Mansfield, Representative, MCPA-MSA Joint Legislative Committee
Natasha Mehu, Representative, MCPA-MSA Joint Legislative Committee

DATE: January 30, 2024

RE: **HB 129 – Criminal Procedure – Location Information – Exigent
Circumstances (Kelsey Smith Act for Maryland)**

POSITION: SUPPORT

The Maryland Chiefs of Police Association (MCPA) and the Maryland Sheriffs' Association (MSA) **SUPPORT HB 129**. This bill seeks to ensure that law enforcement, public safety answering points (PSAP), and service providers can effectively coordinate to locate someone when time is of the essence and their life may be on the line.

HB 129 requires service providers to provide the location of an electronic device upon the request of a law enforcement agency in exigent circumstances. Time is of the essence when someone is missing and there is a fear for their life. Law enforcement must be able to locate that individual quickly and accurately. Cell phones are ubiquitous and provide critical information about a person's whereabouts which is necessary for timely search and rescue efforts by law enforcement.

Importantly, the bill provides several protections for all involved. It sets a timeframe of 48 hours for obtaining the location information so that it is not indefinitely accessible and gives liability protections for people who comply with this law.

For these reasons, MCPA and MSA **SUPPORT HB 129** and request a **FAVORABLE** committee report.