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**Testimony to the Senate Judiciary Committee
In Support of SB420
February 15, 2024**

Chairperson Warren and Committee Members:

Our associations support SB420. In our opinion, the amendment proposed in this bill is an important feature of the statute to avoid some perpetrators, with the same ill intent, from slipping through the loophole created by the current requirement the camera must be concealed. (Page 1, lines 32-33 of the bill.)

With the technology available today, we have encountered cases where a person videotapes another person using a device that is not concealed. One of the simplest of these methods is placing a cell phone on the floor by the wall between dressing rooms with the video running, or leaving a cell phone with the video running laying in a manner not technically concealed by not readily coming to the attention of the targeted person. In more radical cases, miniaturized cameras are used that are not concealed but not readily noticeable.

The key to these offenses is the recording being done “. . .without lawful authority. . .” (Page 1, line 11); “. . .without the consent or knowledge of that other person. . .” (Page 2 line 2; and “. . .with the intent to invade the privacy of that person. . .” (Page 2, lines 2-3) An offense should not hinge on whether the camera was concealed, but the intent of the perpetrator and the reasonable expectation of privacy of the targeted person. The proposed amendment achieves that.

We encourage you to move this bill forward favorably.

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