



Recent Changes to Ohio Law Involving GPS Tracking for Divorcing Couples

by Brian Bly

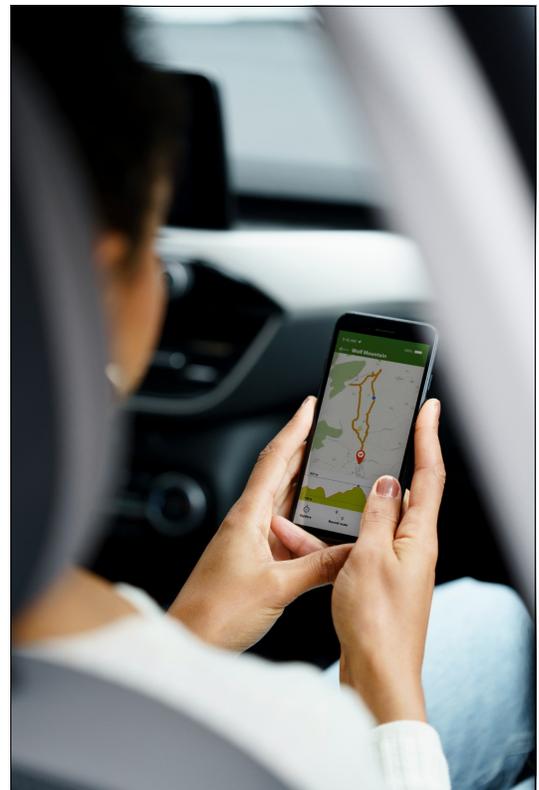
On March 20, 2025, the legislature enacted Ohio Revised Code § 2903.216, a new law that significantly impacts individuals involved in divorce or dissolution proceedings. The new regulation addresses the issue of unauthorized GPS tracking and its role in these cases. It marks a crucial shift in protecting personal privacy and reinforcing safety for individuals navigating the complexities of ending their marriages.

Understanding the Law: Key Provisions

Ohio's new law primarily focuses on the use and misuse of GPS tracking devices during divorce cases. It emphasizes the unlawful use of such tracking devices to monitor or harass a spouse without their consent, particularly when the action infringes upon the individual's right to privacy. The law creates new legal pathways for individuals to challenge and revoke the use of GPS trackers that have been secretly installed by an estranged spouse or partner.

What Does the Law Say?

The 2025 law amends existing criminal statutes and introduces § 2903.216, which clarifies how GPS tracking devices can be used legally and the penalties for unauthorized use. According to the law:



Unauthorized Use of GPS Tracking:

It is illegal for an individual to place a GPS tracking device on another person's vehicle or personal property without their consent. This provision seeks to prevent stalking, harassment, and other forms of technological surveillance often used in abusive relationships or contested divorces.

Revoke and Disable Requests:

Individuals who suspect that they are being tracked without consent can now formally file requests to revoke or disable GPS tracking. Courts can issue orders to remove or disable tracking devices if they believe the device is being used for harassment or to invade someone's privacy unlawfully.

Privacy Violations and Penalties:

Violating the terms of the law can result in criminal charges, including potential misdemeanors or felonies depending on the severity of the violation. Additionally, individuals can seek civil penalties, including damages for emotional distress or any harm caused by unauthorized tracking.

Divorce and Custody Context:

In divorce cases, where disputes over custody and property rights often escalate, the law serves as an important safeguard. The law acknowledges the complexities of modern relationships and the dangers of technology being weaponized in divorce proceedings. It reinforces the notion that privacy is a fundamental right even in contentious separations.

Why was this Law Needed?

With the growing role of technology in our daily lives, the use of GPS tracking has become a powerful tool—both for good and ill. In the context of divorce, it's not uncommon for one party to resort to surveillance methods, including GPS tracking, to monitor the movements of a spouse or ex-spouse. This often happens without the person's knowledge or consent, leading to stalking and safety concerns.

The law was introduced to address these growing concerns and protect individuals from invasive and unauthorized surveillance during a time when they may already be vulnerable. It acknowledges the intersection of technology and personal rights, offering a legal framework to ensure that the use of such devices does not violate an individual's freedom and privacy.

The Impact of the Law on Divorce Cases

For individuals going through a divorce, the new law provides an added layer of protection. If a spouse has been secretly tracking their movements, the law allows them to take swift legal action to stop the surveillance and hold the responsible party accountable. This has several key implications:

Increased Privacy Protections:

Divorce proceedings often involve sensitive information, and the ability to protect one's personal space is critical. The law ensures that individuals have the means to protect themselves from unwanted technological surveillance.

Addressing Abuse:

In cases where a spouse has been abusive, this law can provide an additional safeguard. It allows the victim to take action against not just physical abuse, but also technological harassment that can leave an individual feeling constantly monitored and unsafe.

Easier Legal Recourse:

Before this law, victims of unauthorized GPS tracking had to rely on cumbersome legal processes to address privacy violations. Now, they can easily request court orders to revoke or disable tracking devices, ensuring a quicker and more effective resolution.

Divorce Proceedings and Evidence:

GPS tracking data may also become an issue in divorce hearings, especially when one party is using the data as evidence in a custody battle or asset division. However, if the data was obtained unlawfully, it may not be admissible in court, which could impact the outcome of the case.

How to Protect Yourself

For those concerned about potential unauthorized GPS tracking, here are a few steps you can take to safeguard your privacy:

Be Aware of the Devices Around You:

Keep an eye on any unfamiliar devices or attachments in your car, your personal belongings, and especially your phone. If you suspect a GPS tracker has been placed without your knowledge, you can have a professional inspect your vehicle.

File for Court Orders if Necessary:

If you believe you are being tracked without your consent, you can file for a court order to have the device disabled or removed. Ohio law provides a streamlined process for this.

Consult Legal Counsel:

If you suspect you are being tracked or harassed, seeking the help of an attorney can be invaluable. They can guide you through the legal processes and ensure your rights are protected.

Report Violations to Authorities:

If you discover that you are being illegally tracked, consider reporting the matter to law enforcement. They can investigate the situation and, if necessary, take criminal action against the individual responsible.

Conclusion

Ohio' Revised Code §2903.216 is an important step forward in protecting privacy and ensuring safety for individuals facing contentious divorces. By providing legal tools to revoke and disable tracking devices, as well as imposing penalties for unauthorized use, the law serves as a safeguard for those who might otherwise be vulnerable to being tracked.

As technology continues to evolve, the legal system must constantly adapt to address emerging privacy issues. For individuals in Ohio, §2903.216 provides a much-needed layer of protection during one of life's most stressful events (ending a marriage) and ensuring that personal rights are not compromised.