
By: **Delegate Doory**

Introduced and read first time: February 16, 2001

Assigned to: Rules and Executive Nominations

A BILL ENTITLED

1 AN ACT concerning

2 **Crimes - Interception of Wire, Oral, or Electronic Communications - Escape**

3 FOR the purpose of authorizing an investigative or law enforcement officer or certain
4 other persons to intercept a wire, oral, or electronic communication in order to
5 provide evidence of the commission of the offenses of escape or conspiracy to
6 commit an escape; and generally relating to the interception of wire, oral, or
7 electronic communications and the crime of escape.

8 BY repealing and reenacting, with amendments,
9 Article - Courts and Judicial Proceedings
10 Section 10-402(c)(2)
11 Annotated Code of Maryland
12 (1998 Replacement Volume and 2000 Supplement)

13 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
14 MARYLAND, That the Laws of Maryland read as follows:

15 **Article - Courts and Judicial Proceedings**

16 10-402.

17 (c) (2) It is lawful under this subtitle for an investigative or law enforcement
18 officer acting in a criminal investigation or any other person acting at the prior
19 direction and under the supervision of an investigative or law enforcement officer to
20 intercept a wire, oral, or electronic communication in order to provide evidence of the
21 commission of the offenses of murder, kidnapping, rape, a sexual offense in the first or
22 second degree, child abuse, child pornography, as defined under Article 27, §§ 419A
23 and 419B of the Code, ESCAPE, AS DEFINED UNDER ARTICLE 27, § 137 OF THE CODE,
24 gambling, robbery under Article 27, § 486 or § 487 of the Code, any felony punishable
25 under the "Arson and Burning" subheading of Article 27, bribery, extortion, or dealing
26 in controlled dangerous substances, including violations of Article 27, § 286B or §
27 287A, fraudulent insurance acts, as defined in Title 27, Subtitle 4 of the Insurance
28 Article, offenses relating to destructive devices under Article 27, § 139C of the Code,
29 or any conspiracy or solicitation to commit any of these offenses, or where any person
30 has created a barricade situation and probable cause exists for the investigative or

1 law enforcement officer to believe a hostage or hostages may be involved, where the
2 person is a party to the communication or one of the parties to the communication has
3 given prior consent to the interception.

4 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
5 October 1, 2001.