

Department of Legislative Services
Maryland General Assembly
2001 Session

FISCAL NOTE

House Bill 1326

(Delegate Doory)

Judiciary

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

This bill authorizes an investigative or law enforcement officer to intercept a wire, oral, or electronic communication in order to provide evidence of the commission of the offenses of escape or conspiracy to commit an escape.

Fiscal Summary

State Effect: Adding escape to the crimes for which an investigative or law enforcement officer may intercept a wire, oral, or electronic communication is not expected to have a significant impact on governmental operations or finances.

Local Effect: None.

Small Business Effect: None.

Analysis

Current Law: The Wiretap Act generally prohibits the willful interception of a wire, oral, or electronic communication. However, an investigative or law enforcement officer may intercept a wire, oral, or electronic communication in order to provide evidence of the commission of the offenses of murder, kidnapping, rape, a sexual offense in the first or second degree, child abuse, child pornography, gambling, robbery, arson, bribery, extortion, dealing in controlled dangerous substances, fraudulent insurance acts, offenses relating to destructive devices, or conspiracy or solicitation to commit any of these offenses. An investigative or law enforcement officer may also intercept a wire, oral, or electronic communication where a person has created a barricade situation and probable

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

Additional Information

Prior Introductions: None.

Cross File: None.

Information Source(s): Department of Legislative Services

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