



**BILL NO:** Senate Bill 754  
**TITLE:** Maryland Wiretap and Electronic Surveillance Reform Workgroup  
**COMMITTEE:** Judicial Proceedings  
**HEARING DATE:** March 14, 2023  
**POSITION:** **FAVORABLE WITH AMENDMENTS**

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The Maryland Network Against Domestic Violence (MNADV) is the state domestic violence coalition that brings together victim service providers, allied professionals, and concerned individuals for the common purpose of reducing intimate partner and family violence and its harmful effects on our citizens. **MNADV urges the Senate Judicial Proceedings Committee to issue a favorable report with amendments on SB 754.**

Senate Bill 754 would create a Workgroup to study Maryland's wiretapping and electronic surveillance laws including how audio and visual recordings can be used in proceedings related to domestic violence, child abuse, and the abuse of the elderly and other vulnerable adults. The Workgroup will make recommendations on Maryland's wiretapping and electronic surveillance laws.

MNADV requests the following amendments:  
On page 2, lines 7-8, strike

~~(iv) one attorney licensed to practice in the State who specializes in family law;~~

Replace with: **"ONE ATTORNEY LICENSED TO PRACTICE IN THE STATE WHO SPECIALIZES IN FAMILY LAW AND IS A REPRESENTATIVE OF THE MARYLAND STATE BAR ASSOCIATION FAMILY AND JUVENILE LAW SECTION;" AND**

On page 2, lines 11-12, strike

~~(vi) one representative from a domestic violence prevention and advocacy program in the State;~~

Replace with: **(vi) "THE EXECUTIVE DIRECTOR OF THE MARYLAND NETWORK AGAINST DOMESTIC VIOLENCE, OR THE EXECUTIVE DIRECTOR'S DESIGNEE;"**

add: **"THE EXECUTIVE DIRECTOR OF THE MARYLAND COALITION AGAINST SEXUAL ASSAULT, OR THE EXECUTIVE DIRECTOR'S DESIGNEE."**

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For further information contact Melanie Shapiro ■ Public Policy Director ■ 301-852-3930 ■ [mshapiro@mnadv.org](mailto:mshapiro@mnadv.org)

1997 Annapolis Exchange Parkway, Suite 300 ■ Annapolis, MD 21401  
Tel: 301-429-3601 ■ E-mail: [info@mnadv.org](mailto:info@mnadv.org) ■ Website: [www.mnadv.org](http://www.mnadv.org)



Maryland is one of eleven states that are “two-party” consent states and requires the consent of every party to a phone call or conversation to make the recording lawful. Currently, a violation of the wiretap law is a felony and subject to punishment including imprisonment for not more than 5 years or a fine of not more than \$10,000, or both. MNADV would welcome an opportunity to examine the wiretap statute in Maryland as a whole. Addressing finite aspects of the law and carving out exceptions could result in unintentional harm to victims of violence.

For the above stated reasons, the **Maryland Network Against Domestic Violence** urges a **favorable report with amendments on SB 754.**

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For further information contact Melanie Shapiro ■ Public Policy Director ■ 301-852-3930 ■ [mshapiro@mnadv.org](mailto:mshapiro@mnadv.org)

1997 Annapolis Exchange Parkway, Suite 300 ■ Annapolis, MD 21401  
Tel: 301-429-3601 ■ E-mail: [info@mnadv.org](mailto:info@mnadv.org) ■ Website: [www.mnadv.org](http://www.mnadv.org)