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To: Members of The House Judiciary Committee  
From: Carrie J. Williams, Chair, Legislative Committee, Criminal Law and Practice  
Section  
Date: 2/10/2023  
Subject: HB362– Intercepted Communications—Penalty  
Position: **Support**

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The Legislative Committee of the Criminal Law and Practice Section of the Maryland State Bar Association (MSBA) Supports HB362– Intercepted Communications—Penalty.

This bill reduces the penalty for violating Courts & Judicial Proceedings § 10-402 from a felony to a misdemeanor. Section 10-402 prohibits persons from intercepting a “wire, oral, or electronic communication” or willfully disclosing or using the contents of an unlawfully intercepted communication. Classifying these offenses as felonies does not advance public safety and unnecessarily subjects people who are convicted of these non-violent offenses to the life-long collateral consequences of a felony conviction.

For the reasons stated, we Support HB362– Intercepted Communications—Penalty. If you have questions about the position of the Criminal Law and Practice Section’s Legislative Committee, please feel free to address them to me at [carriej.williams@gmail.com](mailto:carriej.williams@gmail.com).

Additional information can also be provided by Shaoli Katana at MSBA - [shaoli@msba.org](mailto:shaoli@msba.org).