

Circuit Court Division: 175 Main Street • Courthouse • Prince Frederick, MD 20678
410-535-1600 ext. 2369 • 301-855-1243 • MD Relay: 1-800-735-2258 • www.calvertstatesattorney.com

January 25, 2024

The Honorable Luke Clippinger
Chairman, House Judiciary Committee
6 Bladen Street
Annapolis, MD 21401

RE: HB 290

Dear Chairman Clippinger:

I am a prosecutor in Calvert County, in charge of the Child Abuse, Child Exploitation, and Sexual Assault cases. I have been a prosecutor for the past 20 years. During my career I have handled numerous cases involving Domestic Violence, Murder, and Sexual Assaults. I write to you today in support of HB290, Interceptions of Wire, Oral or Electronic Communications- Exception for imminent danger.

Currently, the wiretap statute, Courts and Judicial Proceedings 10-402, prohibits any interception of any communications without the consent of both parties. House bill 290 would amend that language to allow a person to intercept a communication if there is a good faith belief that the person (or another) is in imminent danger of becoming the victim of (1) a crime of violence (2) Stalking (3) abuse or (4) Violation of Protective order.

Years ago, I had a case where the victim had left her husband, the Defendant, but had gone to his house so that he could see their young daughter. The Defendant was angry because she would not consider reconciling. He begged her to reconsider, and when she wouldn't, he pulled out a gun and put it to her head. He then forcibly raped her while her 2-year-old lay sleeping in the next room. Because she knew of his violent tendencies, the victim turned on the recording function of her phone immediately prior to entering the house. Her phone recorded the entire encounter. After the rape, she was able to convince him to let her leave. She went immediately to the police station. The next several months prior to trial, the Defendant and his family disparaged the victim, called her a liar, claimed she was trying to get custody of their child, and claimed that they had consensual sex that evening. Sadly, I had to explain to her that even though the entire assault and rape was recorded, I could not use it in trial.

Violent crimes, especially those involving sexual assault and domestic violence, happen behind closed doors. Sometimes all we have is the victim's statement. Unfortunately, victims of violent crimes are often questioned, or treated with suspicion.

Cell phones can give power to victims of violent crimes. I strongly urge this Committee to issue a favorable report on HB290.

Sincerely,

Rebecca Cordero

Rebecca Cordero
Senior Assistant State's Attorney
Calvert County State's Attorney's Office