



Maryland State's Attorneys' Association

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DATE: April 1, 2025

TO: Judicial Proceedings Committee

FROM: Joyce King, Chief Counsel Frederick County State's Attorney's Office

BILL NUMBER: HB 533

POSITION: Favorable

As Co-Chair of the Maryland State's Attorneys' Association Special Victims Unit, I strongly support Senate Bill 1007 Wiretapping and Electronic Surveillance - Intercepted Communications - Admissibility of Evidence. This legislation seeks to permit the admissibility of certain intercepted communications as evidence in legal proceedings under specified circumstances.

In the realm of prosecuting crimes against vulnerable individuals—including cases of sexual assault, child abuse, domestic violence, and human trafficking—evidence is often scarce and primarily reliant on victim testimony. This limitation can hinder our ability to hold offenders accountable and ensure justice for victims.

SB1007 addresses this challenge by allowing the contents of specific intercepted communications to be admissible in court. We have several instances throughout the state where victims capture their victimization on video and audio recording. Prosecutors in our Special Victim Committee bring forth examples of audio recording of a rape, a domestic assault, a beating of child which all could not come in as evidence. This is unjust as this is the evidence that can be pivotal in corroborating victim statements, illustrating the severity of offenses, and providing clear insights into the dynamics of abusive relationships. As the mandate of Body Worn Camera, we see that recordings are the most compelling evidence, capturing real-time incidents that might otherwise be difficult to substantiate.

It's important to note that while Maryland law typically prohibits the recording of private conversations without the consent of all parties, there are exceptions, particularly when one party consents and the recording is made to gather evidence of a crime. SB1007 seeks to clarify and expand the circumstances under which such evidence is admissible, ensuring that victims who record their victimization can have their evidence considered in court.

By enacting SB1007, Maryland would enhance the tools available to prosecutors, thereby strengthening our capacity to protect and advocate for the state's most vulnerable citizens. This legislation represents a significant advancement in our collective efforts to deliver justice and support to victims of serious crimes.