



BILL NO: Senate Bill 38
TITLE: Intercepted Communications - Penalty
COMMITTEE: Judicial Proceedings
HEARING DATE: January 16, 2025
POSITION: **Support**

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 on SB 38.**

Maryland requires the consent of every party to a phone call or conversation to make a 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.

Senate Bill 38 would reclassify a violation of the wiretap law from a felony to a misdemeanor. MNADV supports a victim's ability to use a recording of the violence they suffered in court proceedings. Currently it is a felony for a victim, including victims of domestic violence, to record and document the abuse and violence they experienced and use it to obtain relief from the courts. So many times, people experiencing domestic violence or sexual assault have to be told that they can use audio recording of the assault lest they be charged with a felony. And, perhaps even worse, although they have incontrovertible evidence of the assault perpetrated, they cannot use it as evidence in court.

SB 38 is an important attempt to remediate Maryland's wiretap laws.

For the above stated reasons, the Maryland Network Against Domestic Violence urges a **favorable report on SB 38.**

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