

**SB 680 FAV MDHTTF + TA.pdf**

Uploaded by: Amanda Rodriguez

Position: FAV



**BILL NUMBER:** SB 680

**TITLE:** Intercepted Communications - Penalty

**COMMITTEE:** Judicial Proceedings

**HEARING DATE:** 2/24/2026

**POSITION:** FAV

TurnAround, Inc. is the designated rape crisis center for Baltimore City and Baltimore County and a comprehensive domestic violence service provider, offering crisis response, survivor-centered advocacy, legal referrals, trauma-informed therapy, and community education. TurnAround also serves as the Regional Navigator for Baltimore County and Howard County, providing specialized services to survivors of human trafficking, and is a member of the Maryland Coalition Against Sexual Assault (MCASA), the Maryland Network Against Domestic Violence (MNADV), and the Maryland Human Trafficking Task Force (MDHTTF).

The Maryland Human Trafficking Task Force Legislative Subcommittee brings together federal, state, and local law enforcement, government agencies, and nongovernmental organizations to identify and support survivors and hold traffickers accountable. Its Legislative Subcommittee—comprised of representatives from law enforcement, victim advocacy organizations, service providers, government entities, and faith-based partners—works to strengthen Maryland’s human trafficking laws, collaborate with legislators, and provide testimony on key legislation each session. On behalf of TurnAround, Inc. and the Maryland Human Trafficking Task Force Legislative Subcommittee, we respectfully submit this testimony in support of Senate Bill 680.

SB 680 reclassifies the offense of willfully intercepting, disclosing, or using the contents of wire, oral, or electronic communications in violation of Maryland’s wiretap law from a felony to a misdemeanor, while maintaining the existing maximum penalty of up to five years of incarceration and a fine of up to \$10,000, or both. The bill does not weaken the underlying prohibition on unlawful interception and disclosure of communications, but instead recalibrates the classification of the offense to reflect proportionality concerns while preserving significant criminal consequences.

Survivors of sexual assault, human trafficking, intimate partner violence, and domestic violence often rely on technology, including recordings and electronic communications, to document abuse, threats, and coercive control. At the same time, overly severe felony classifications can have

unintended consequences when applied to survivors or their support networks who may record communications to protect themselves, seek evidence of abuse, or corroborate disclosures in the absence of other proof.

From our work with survivors, we know that fear of criminalization can deter individuals from seeking help or cooperating with investigations, particularly when they are unsure how courts will view their attempts to document abuse. SB 680 thus supports a more trauma-informed and proportional legal framework around intercepted communications. Continued criminality is problematic for a myriad of reasons, but this bill moves Maryland in the right direction of informed and proportional legal framework around intercepted communications.-informed and proportional legal framework around intercepted communications.

SB 680 is consistent with Maryland's broader commitment to balancing privacy protections, accountability for harmful misuse of surveillance, and the realities of how survivors navigate safety in the digital age. For survivors of sexual assault, human trafficking, intimate partner violence, and domestic violence, a legal regime that recognizes gradations of culpability and avoids unnecessary felony exposure can reduce collateral harm while still holding genuinely predatory actors accountable.

For these reasons, TurnAround, Inc. and the Maryland Human Trafficking Task Force Legislative Subcommittee respectfully urge the Committee to issue a Favorable report on Senate Bill 680.

For further inquiries, please contact Amanda Rodriguez, Esq., Chief Executive Officer, TurnAround, Inc., and Chair, MDHTTF Legislative Subcommittee, at [arodriguez@turnaroundinc.org](mailto:arodriguez@turnaroundinc.org).

# **SB 0680 Intercepted Communications - Penalty - SUP**

Uploaded by: Catherine OMalley

Position: FAV

BILL NO: Senate Bill 0680  
TITLE: Intercepted Communications - Penalty  
COMMITTEE: Judicial Proceedings  
HEARING DATE: February 24, 2026  
POSITION: **SUPPORT**

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The Women's Law Center of Maryland is dedicated to ensuring the physical safety, economic security, and bodily autonomy of women throughout the state. Through our legal services, policy advocacy, and education, we work closely with survivors of domestic violence and sexual assault and regularly see the barriers they face in seeking safety and justice. For these reasons, the WLC urges the Senate Judicial Proceedings Committee to issue a favorable report on SB 680.

Maryland currently requires the consent of every party to a phone call or conversation for a recording to be lawful. A violation of the wiretap law is classified as a felony, punishable by up to five years of imprisonment, a fine of up to \$10,000, or both. As a result, survivors who record abuse for their own protection risk being charged with a serious crime.

Senate Bill 680 would reclassify a violation of the wiretap law from a felony to a misdemeanor. This change is critical for survivors of domestic violence and sexual assault. In our experience, survivors often attempt to document threats, coercion, or violence to seek protective orders or other court relief. Yet under current law, a victim who records their own abuse can face felony charges—and, in many cases, cannot even use that recording as evidence in court. Survivors are therefore forced into an impossible choice: preserve evidence of abuse and risk prosecution or forgo powerful documentation that could help secure their safety.

SB 680 represents an important and necessary step toward addressing this inequity in Maryland's wiretap law. Reclassifying the offense acknowledges the complex and dangerous realities survivors face while still maintaining the state's broader privacy protections.

For these reasons, the Women's Law Center of Maryland respectfully urges a favorable report on SB 680.

*The Women's Law Center of Maryland is a non-profit legal services organization whose mission is to ensure the physical safety, economic security, and bodily autonomy of women in Maryland. Our mission is advanced through direct legal services, information and referral hotlines, and statewide advocacy.*

# **SB680.pdf**

Uploaded by: Christopher West

Position: FAV

**CHRIS WEST**  
*Legislative District 42*  
Baltimore and Carroll Counties

Judicial Proceedings Committee



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**THE SENATE OF MARYLAND**  
**ANNAPOLIS, MARYLAND 21401**

February 24, 2026

The Maryland State Senate Judicial Proceedings Committee  
The Honorable William C. Smith, Jr.  
2 East Miller Senate Office Building  
Annapolis, Maryland 21401

**RE: Senate Bill 680 – Intercepted Communications – Penalty**

Chair Smith, Vice-Chair Waldstreicher, and Members of the Judicial Proceedings Committee,

I am presenting Senate Bill 680, which has passed the House four years in a row but has always failed to get a vote in the Senate. Senate Bill 680 is also that rare criminal bill that has the support of both the Maryland States Attorneys Association and the Office of Public Defender. Furthermore, this bill has no fiscal note.

Senate Bill 680 changes a single word in a single criminal statute. In Section 10-402 of the Courts and Judicial Proceedings Article, it changes the word “felony” to “misdemeanor”. The penalty for the crime is left unchanged. All that changes is the characterization of the crime from a felony to a misdemeanor.

The crime set out in the statute is the crime of intercepting a communication, whether oral, wire or electronic, without the consent of the other parties to the communication. Unlike in most other states, Maryland has a two-party consent rule. Both parties to a communication must consent to it being intercepted. So, this bill would merely change the characterization of that crime from a felony to a misdemeanor.

Let me give you two hypothetical instances which this bill would impact. First, two gang members are standing on a corner discussing a crime they are about to commit. Someone standing nearby waiting for a bus takes out his cellphone and makes a video recording of their conversation, including an audio recording of the words they use, and then turns the recording over to the police. Under current law, that bystander has committed a felony. Second, a battered wife sits her cellphone in a location that can capture video and audio images of her husband and captures footage of him screaming at her and beating her and then turns the footage over to the authorities. Once again, under current law, the battered wife is guilty of a felony.

Senate Bill 680 is a simple, but necessary, step to align Maryland law with the reality that cell phones and cell phone recordings are commonplace. The felony criminal liability imposed by

**CHRIS WEST**  
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**THE SENATE OF MARYLAND**  
**ANNAPOLIS, MARYLAND 21401**

CJP § 10-402 is out-of-touch with the expectations and experiences of Marylanders. Reclassifying the violation as a misdemeanor brings the additional benefit of permitting these cases to be tried in the District Court of Maryland, a more efficient and appropriate venue for most of these matters. It thus reduces the strain on resources of the circuit courts.

Supporters of the bill over the years have included the Maryland States Attorneys Association, the States Attorneys of Baltimore County, Frederick County and Prince George's County, the Office of Public Defender, the Maryland State Bar Association, the Women's Law Center and the Maryland Network Against Domestic Violence. Last year, this bill passed in the House. This House bill then came over to the Senate, but was not given a hearing. I hope the Judicial Proceedings Committee will agree that the one word change to the statute proposed by this bill makes sense.

I appreciate the Committee's consideration of Senate Bill 680 and I will be happy to answer any questions the Committee may have.

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Uploaded by: Elizabeth Hilliard

Position: FAV



**NATASHA DARTIGUE**  
PUBLIC DEFENDER  
**KEITH LOTRIDGE**  
DEPUTY PUBLIC DEFENDER  
**ELIZABETH HILLIARD**  
DIRECTOR OF GOVERNMENT RELATIONS

## **POSITION ON PROPOSED LEGISLATION**

**BILL: SB 680 – Intercepted Communications - Penalty**

**FROM: Maryland Office of the Public Defender**

**POSITION: Favorable**

**DATE: 2/24/26**

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The Maryland Office of the Public Defender respectfully requests that the Committee issue a favorable report on SB 680.

Senate Bill 680 amends Courts and Judicial Proceedings Section 10-402(a) to align the statute's intentions with current realities. When this statute was enacted in 2006, efforts to intercept wire, oral, and/or electronic communications between others were necessarily substantial. In today's world, intercepting such communications is frequently an instantaneous decision made with the click of a button on a cell phone. This behavior, though concerning, aligns with the nature of a misdemeanor—an offense carrying less serious consequences than a felony.

As the Committee is aware, a felony conviction comes with a litany of collateral consequences. These include limitations, if not outright prohibitions, on an individual's employment, housing options, and public benefits. Felony convictions impinge an individual's abilities to better themselves and to provide for their families, including attending higher education and obtaining professional licenses. Critically, felony convictions strip an individual of fundamental civil rights, including their ability to vote and their ability to serve on a jury. Simply put, these consequences no longer match the gravity of the offense contemplated by CJP § 10-402(a).

Furthermore, amending the statutory penalty from a felony to a misdemeanor would create dramatic savings in court time and costs by enabling alleged CJP § 10-402(a) offenses to be heard in the District Court, with its faster pace and streamlined procedures.

**For these reasons, the Maryland Office of the Public Defender urges this Committee to issue a favorable report on SB 680.**

**Submitted by: Maryland Office of the Public Defender, Government Relations Division.**

**SB 680 - MNADV- FAV.pdf**

Uploaded by: Laure Ruth

Position: FAV



BILL NO: Senate Bill 680  
TITLE: Intercepted Communications - Penalty  
COMMITTEE: Judicial Proceedings  
HEARING DATE: February 24, 2026  
POSITION: **FAVORABLE**

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The Maryland Network Against Domestic Violence (MNADV) is the state domestic violence coalition that works to lead diverse community partners toward the common purpose of reducing the occurrence and impact of intimate partner violence. **MNADV urges the Senate Judicial Proceedings Committee to issue a favorable report on SB 680.**

Maryland requires the consent of every party to a phone call, video with audio, 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 680 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 cannot 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 680 is an important attempt to remediate Maryland's wiretap laws. We also think thought should be given to the penalty being reduced. We suggest it be passed in conjunction with either SB 661 or HB 132, or HB 802.

For the above stated reasons, the Maryland Network Against Domestic Violence urges a **favorable report on SB 680.**

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For further information contact Laure Ruth ■ Public Policy Director ■ 301-852-3930 ■ [lruth@mnadv.org](mailto:lruth@mnadv.org)

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# **Wiretap - felony to misdemeanor - testimony - sena**

Uploaded by: Lisae C Jordan

Position: FAV



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**Working to end sexual violence in Maryland**

P.O. Box 8782  
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For more information contact:  
Lisae C. Jordan, Esquire  
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**Testimony Supporting Senate Bill 680**  
**Lisae C. Jordan, Executive Director & Counsel**  
February 24, 2026

The Maryland Coalition Against Sexual Assault (MCASA) is a non-profit membership organization that includes the State's seventeen rape crisis centers, law enforcement, mental health and health care providers, attorneys, educators, survivors of sexual violence and other concerned individuals. MCASA includes the Sexual Assault Legal Institute (SALI), a statewide legal services provider for survivors of sexual assault. MCASA represents the unified voice and combined energy of all of its members working to eliminate sexual violence. We urge the Judicial Proceedings Committee to report favorably on Senate Bill 680.

**Senate Bill 680 – Wiretap – Change to Misdemeanor**

This bill would reclassify violation of the all party consent law for audio recordings from a felony to a misdemeanor.

Victims of violent crime, including sex crimes, have recorded their assaults in an attempt to document what has occurred. Current law prohibits use of these audio recordings in court proceedings and classifies the victims as felons. This discourages reporting of violent crime. SB680 is a modest step towards reducing the penalty for these crime victims. It also more appropriately responds to this type of recording in an era of ubiquitous cell phones and the ability to record at almost any time.

MCASA notes that there has been discussion of an amendment to expand the statute of limitations for this charge should SB680 be reported favorably. MCASA has no objection to this approach.

**The Maryland Coalition Against Sexual Assault urges the  
Judicial Proceedings Committee to  
report favorably on Senate Bill 680**

# **Testimony in support of SB0680 - Intercepted Commu**

Uploaded by: Richard KAP Kaplowitz

Position: FAV

SB0680\_RichardKaplowitz\_FAV

02/24/2026

Richard Keith Kaplowitz  
Frederick, MD 21703

**TESTIMONY ON SB#/0680- POSITION: FAVORABLE**

**Intercepted Communications – Penalty**

**TO:** Chair Smith, Jr., Vice Chair Waldstreicher, and members of the Judicial Proceedings Committee

**FROM:** Richard Keith Kaplowitz

My name is Richard Keith Kaplowitz. I am a resident of District 3, Frederick County. I am submitting this testimony in support of SB#/0680, **Intercepted Communications – Penalty**

This bill defines what offenses occur when intercepting disclosing any wire, oral, or electronic communications and changes the crime classification for this misconduct.

This bill will reclassify, as a misdemeanor instead of a felony, a certain offense relating to the prohibition against intercepting and disclosing any wire, oral, or electronic communications.

**I respectfully urge this committee to return an favorable report on SB#/0680.**

# **SB 680- Intercepted Communications - Penalty.pdf**

Uploaded by: Scott Shellenberger

Position: FAV

**Bill Number: SB 680**  
**Scott D. Shellenberger, State's Attorney for Baltimore County**  
**Support**

**WRITTEN TESTIMONY OF SCOTT D. SHELLENBERGER,**  
**STATE'S ATTORNEY FOR BALTIMORE COUNTY,**  
**IN SUPPORT OF SENATE BILL 680**  
**INTERCEPTED COMMUNICATIONS – PENALTY**

I write in support of Senate Bill 680 Intercepted Communications – Penalty. For years I have attempted to amend or strike Courts and Judicial Proceeding Article (CJ) §10-406 Maryland's Wire Tap Statute.

Maryland is a two party consent state when it comes to the recording of oral communications especially through the telephone. Thirty-eight States are one party consent states that require only one party to a conversation to consent to the recording. Maryland has long had a statutory scheme in which law enforcement, under a judge's supervision, are permitted to record telephone conversations when they have probable cause to believe telephones are being use to commit crimes.

Because CJ §10-406 is a vestige of the past, recording someone orally both over the telephone and in person has been labeled a felony punishable up to 5 years in jail. Recording visually has never been against the law.

In today's reality people record everything both visually and orally. Most people are unaware when they pull out their phones and hit camera/record they are breaking the law in Maryland.

While I have been unsuccessful in repealing the statute it seems reasonable to at least take a baby step forward and make it a misdemeanor instead of a felony. We should not subject someone to such a harsh potential penalty when doing something everyone does every day and everyone accepts. That is taking out a phone & recording.

I urge a favorable report.

# **HPP Testimony SB 680- INFO.pdf**

Uploaded by: Jessica Emerson

Position: INFO



620 West Lexington Street, 4th Floor

Baltimore, MD 21201

<https://htprevention.org/>

[htpp@htprevention.org](mailto:htpp@htprevention.org)

## Testimony of the Human Trafficking Prevention Project

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**BILL NO:** Senate Bill 680  
**TITLE:** Intercepted Communications - Penalty  
**COMMITTEE:** Judicial Proceedings  
**HEARING DATE:** February 24, 2026  
**POSITION:** **INFORMATION**

The Human Trafficking Prevention Project (“HTPP”) is dedicated to ending the criminalization of sex workers and survivors of human trafficking through access to civil legal services and support for policies that dismantle harmful systems and increase access to basic human rights and legal relief. The HTPP respectfully provide this **INFORMATION** to the Judiciary Committee on Senate Bill 680.

Maryland requires the consent of every party to a phone call, video with audio, 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. **House Bill 688 would reclassify a violation of the wiretap law from a felony to a misdemeanor.**

While the HTPP, like our fellow crime victims’ rights organizations, supports a victim’s ability to use a recording of the violence they suffered in court proceedings, under § 10–402 of the Cts. & Jud. Proc. Article, it is currently a felony for a crime victim to record and document the abuse and violence they experienced and use it to obtain relief from the courts. Far too often people who have experienced human trafficking, domestic violence, or sexual assault are told that they cannot use an audio recording of the violence that has been committed against them, lest they be charged with a felony offense. And, perhaps even worse, although they have incontrovertible evidence of the assault that was perpetrated by their abuser, they cannot use it as evidence in court.

However, SB 680 does not go far enough to protect victims of crime, as it would merely change the classification of the crime from a felony to a misdemeanor, with no change in penalty or statute of limitations. This legislation also does nothing to prevent the cycle of criminalization that follows any arrest/conviction, one that is incredibly destructive to crime victims, often resulting in fewer options for them to escape their abusers and/or that puts them at increased risk of additional victimization, [given the impact that criminal records have on an individual’s ability to obtain safe housing and gainful employment](#). Additionally, it is incontrovertible that perpetrators of abuse routinely use the law as a method of coercive control against their victims; continuing to make it a crime for victims to record their abuse leaves open an additional path through which perpetrators may exploit their victims.

**Survival Should Not Be Criminalized.**

The HTPP recognizes how victims can suffer abuses on *both sides* of the system; therefore, we strongly encourage lawmakers and advocates to come together to consider how best to ensure that victims do not have to choose between attempting to obtain justice for themselves against their perpetrator while at the same time risking becoming a defendant in a criminal or civil case stemming from the same incident of abuse.<sup>1</sup> To force them to make such a choice is not justice at all; it is continued abuse, this time by the system that allegedly exists to protect them.

***[The Human Trafficking Prevention Project](#) is dedicated to ending the criminalization of sex workers and survivors of human trafficking through access to civil legal services and support for policies that dismantle harmful systems and increase access to basic human rights and legal relief.***

***For more information, please contact:  
Jessica Emerson, LMSW, Esq.  
[jemerson@htprevention.org](mailto:jemerson@htprevention.org)***

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<sup>1</sup> We direct the Committee's attention to [SB610/HB290](#) from 2024, which would have established an exception to the current two-party system if a person had a good faith belief that they were in imminent danger of becoming the victim of a crime of violence, stalking, or abuse, or that a protection order in which they were the petitioner was about to be violated.