

KAREN SIMPSON
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Judiciary Committee
Chair
Family Law Subcommittee



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THE MARYLAND HOUSE OF DELEGATES
ANNAPOLIS, MARYLAND 21401

Favorable: HB688 – Intercepted Communications – Penalty

Hearing on 2/24/2026 at 1:00 PM

HB 688 – Intercepted Communications – Penalty reclassifies the all-party consent law for audio recordings violation from a felony to a misdemeanor. Maryland would still be a two-party consent state; however, this bill is a small step in reducing the challenges a victim of a violent crime, including a sex crime, faces when they record the crime to document what occurred.

This bill was introduced in 2022 and passed the house in 2022, 2023, 2024, and 2025.

Under current law, violators are guilty of a felony, punishable by imprisonment for up to five years and/or a \$10,000 maximum fine. The bill reclassifies this offense as a misdemeanor but does not otherwise alter the maximum term of imprisonment or monetary penalty.

Maryland will remain a two-party consent state and ensure that we are not punishing victims for having pivotal evidence in cases where evidence is in short supply. Without a change in law, we will continue to criminalize victims by subjecting them to life-changing charges solely for trying to get evidence in an already difficult situation.

Under the existing all-party consent law, many individuals have unintentionally committed felony offenses by using their devices to record audio. There is a disproportionality between the charge of a felony and the act of recording audio without the knowledge of all parties present. Individuals charged with a felony often have difficulties acquiring housing, receiving student loan assistance, and finding employment – an extreme punishment for an act most individuals have committed in their lifetime. Reducing this charge to a misdemeanor would begin to bridge the gap between the law and present-day needs.

I respectfully request a favorable report for HB 688 – Intercepted Communications – Penalty.

Yours truly,

A handwritten signature in blue ink, appearing to read "Karen Simpson".

Delegate Karen Simpson – District 3 - Frederick