

BILL NO: House Bill 0688
TITLE: Intercepted Communications - Penalty
COMMITTEE: Judiciary
HEARING DATE: February 24, 2026
POSITION: **SUPPORT**

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 HB 688.

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.

House Bill 688 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.

HB 688 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 HB 688.

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.