



BILL NUMBER: HB 802

TITLE: Wiretapping and Electronic Surveillance - Intercepted Communications - Admissibility of Evidence

COMMITTEE: Judiciary

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 House Bill 802.

HB 802 clarifies that the contents of certain intercepted wire, oral, or electronic communications, and evidence derived from those communications, may be received in evidence in specified criminal proceedings when the court makes particular findings, including that the case involves a crime committed against at least one individual and that admission serves the interests of justice. The bill preserves core safeguards by requiring that the interception was not conducted by or on behalf of Maryland law enforcement and that the communications are more probative than other evidence reasonably available, while also requiring timely notice to the adverse party.

For survivors of sexual assault, human trafficking, intimate partner violence, and domestic violence, abuse and coercion are frequently documented in electronic communications, including

threats, admissions, and patterns of control that can be critical to establishing what happened and why a victim could not safely seek help sooner. When those communications are categorically excluded, even where they were lawfully intercepted under another jurisdiction's law or by a private party, survivors may lose key evidence that corroborates their accounts and helps courts understand the severity and context of the violence. HB 802 offers a narrow, case-by-case path for courts to consider such evidence where appropriate, subject to judicial oversight and notice to all parties.

From our direct service experience, we know that survivors often face skepticism, minimization, and attacks on their credibility when they engage with the criminal legal system. Electronic communications that capture threats, harassment, or admissions of abuse can be uniquely powerful in countering those dynamics, especially when other physical or eyewitness evidence is limited or no longer available. HB 802 appropriately balances privacy and due process concerns with the need to ensure that courts are not artificially barred from considering relevant, highly probative evidence in cases involving serious violence against individuals.

HB 802 aligns with Maryland's broader efforts to strengthen protections for survivors of sexual assault, human trafficking, intimate partner violence, and domestic violence by ensuring that courts can access critical evidence under carefully defined conditions while maintaining robust protections against unlawful surveillance. By allowing judges to admit such evidence only when it is necessary, more probative than reasonably available alternatives, and in the interests of justice, the bill provides an important tool for holding offenders accountable and supporting survivor centered prosecutions.

Far too many survivors in Maryland encounter overwhelming barriers when seeking justice after sexual violence. Only a small fraction of cases are ever fully investigated by law enforcement, and an even smaller percentage result in conviction. Survivors are often expected to prove what occurred in deeply private, traumatic circumstances—acts that rarely leave witnesses or physical evidence. Instead of being met with understanding, many are subjected to questioning that scrutinizes their behavior before and during the assault, rather than the actions of the perpetrator. Without a trauma-informed approach embedded in our systems, survivors are retraumatized by the very process meant to protect them. HB 802 is a critical step toward ensuring that investigations center survivor dignity, recognize the realities of trauma, and strengthen accountability for sexual violence.

For these reasons, TurnAround, Inc. and the Maryland Human Trafficking Task Force Legislative Subcommittee respectfully urge the Committee to issue a Favorable report on House Bill 802.

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