

§6-205.1 - "Suspension of license in event of refusal to submit to chemical tests for intoxication".

SUBTITLE 4. WIRE TAPPING.

SEC. 10-401. DECLARATION OF POLICY.

THE RIGHT OF THE PEOPLE TO BE SECURE AGAINST UNREASONABLE INTERCEPTION OF TELEPHONIC AND TELEGRAPHIC COMMUNICATIONS MAY NOT BE VIOLATED. THE INTERCEPTION AND DIVULGENCE OF A PRIVATE COMMUNICATION BY ANY PERSON NOT A PARTY THERETO IS CONTRARY TO THE PUBLIC POLICY OF THE STATE, AND MAY NOT BE PERMITTED EXCEPT BY COURT ORDER IN UNUSUAL CIRCUMSTANCES TO PROTECT THE PEOPLE. IT IS FURTHER DECLARED TO BE THE PUBLIC POLICY OF THE STATE THAT DETECTION OF THE GUILTY DOES NOT JUSTIFY INVESTIGATIVE METHODS WHICH INFRINGE UPON THE LIBERTIES OF THE INNOCENT.

REVISOR'S NOTE: This section presently appears as Art. 35, §92. This section was enacted in 1956. The only changes made are in style.

SEC. 10-402. INTERCEPTION OF COMMUNICATIONS PROHIBITED.

(A) USE OF DEVICE FOR INTERCEPTION.

EXCEPT AS OTHERWISE PROVIDED IN §10-403 AND SUBSECTION (C) OF THIS SECTION, A PERSON MAY NOT OBTAIN OR ATTEMPT TO OBTAIN THE WHOLE OR ANY PART OF A TELEPHONIC OR TELEGRAPHIC COMMUNICATION TO WHICH THE PERSON IS NOT A PARTICIPANT BY MEANS OF A DEVICE, CONTRIVANCE, MACHINE, OR APPARATUS, WHETHER ELECTRICAL, MECHANICAL, OR MANUAL UNLESS CONSENT IS GIVEN BY THE PARTICIPANTS.

(B) EQUIPMENT OF TELEPHONE OR TELEGRAPHIC COMPANY.

EXCEPT AS OTHERWISE PROVIDED IN §10-403 AND SUBSECTION (C) OF THIS SECTION, NO PERSON MAY TAMPER WITH THE WIRES, CONNECTIONS, BOXES, FUSES, CIRCUITS, LINES, OR OTHER EQUIPMENT OR FACILITIES OF A TELEPHONE OR TELEGRAPH COMPANY OVER WHICH MESSAGES ARE TRANSMITTED WITH THE INTENT TO OBTAIN THE CONTENTS OF A TELEPHONIC OR TELEGRAPHIC COMMUNICATION TO WHICH THE PERSON IS NOT A PARTICIPANT.

(C) APPLICATION TO COMPANY EMPLOYEES AND AGENTS.