

State House
Annapolis MD 21401

Dear Mr. Speaker:

In accordance with Article II, Section 17 of the Maryland Constitution, I have today vetoed House Bill 180 – Criminal Procedure – Interception of Oral Communications by Law Enforcement Officers – Criminal Investigations.

This bill expands current law to allow a law enforcement officer to intercept an oral communication if the officer lawfully detains a vehicle during a criminal investigation. The officer must also meet certain requirements.

Senate Bill 20, which was passed by the General Assembly and signed by me, accomplishes the same purpose. Therefore, it is not necessary for me to sign House Bill 180.

Sincerely,
Parris N. Glendening
Governor

House Bill No. 180

AN ACT concerning

Criminal Procedure – Interception of Oral Communications by Law Enforcement Officers – Criminal Investigations

FOR the purpose of allowing a law enforcement officer to intercept certain oral communications after lawfully detaining a vehicle during a criminal investigation under certain circumstances; providing that the interception of oral communications is lawful if a person becomes a party to the communication following the identification of the law enforcement officer or the informing of the parties that the communication is being intercepted; and generally relating to the interception of oral communications by law enforcement officers.

BY repealing and reenacting, with amendments,

Article – Courts and Judicial Proceedings

Section 10-402(c)(4)

Annotated Code of Maryland

(1998 Replacement Volume and 2001 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article – Courts and Judicial Proceedings

10-402.

(c) (4) (I) It is lawful under this subtitle for a law enforcement officer in the course of the officer's regular duty to intercept an oral communication, if: