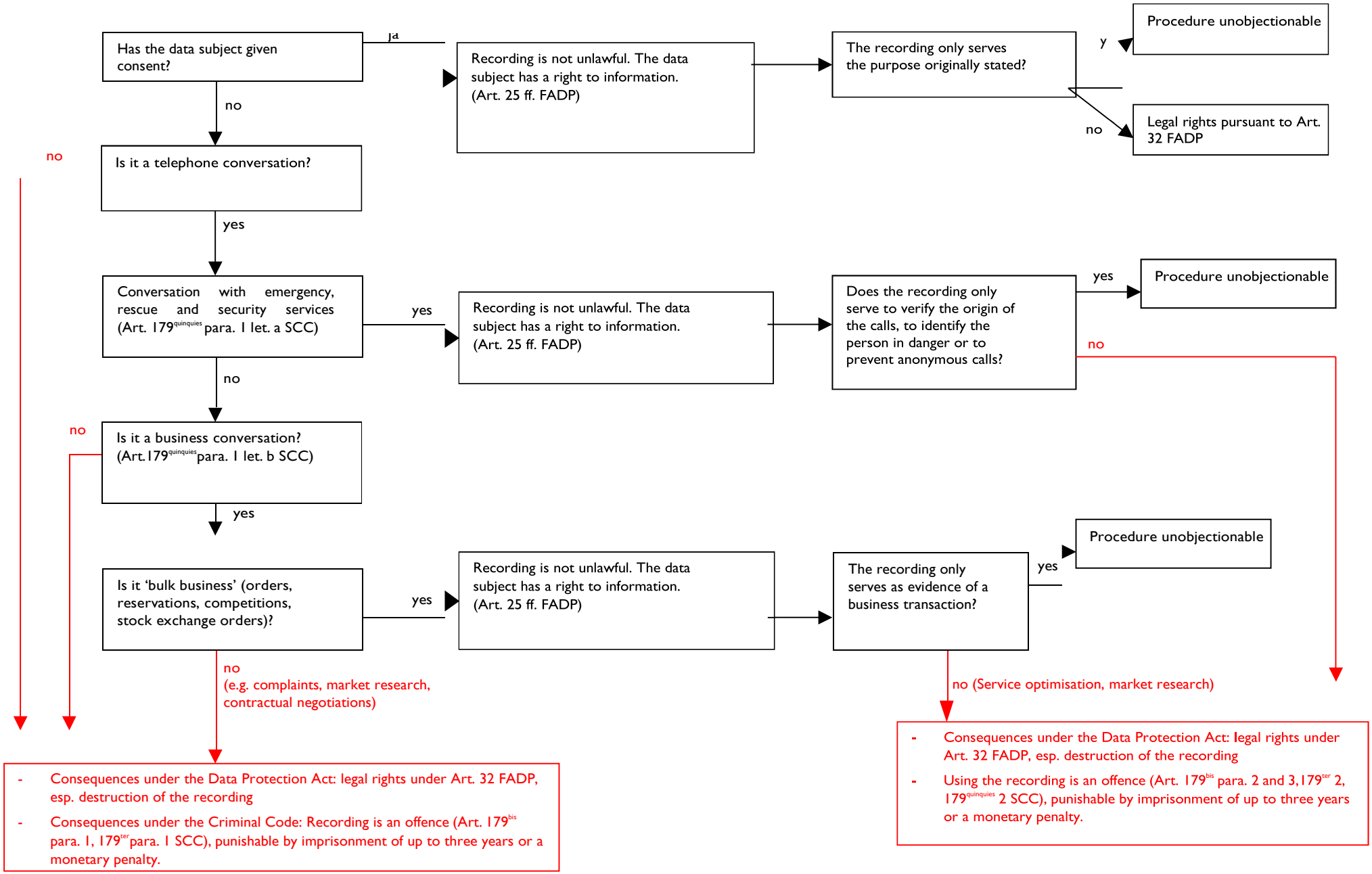Criminal and civil consequences of recording a conversation