

5470

Sponsor(s): Senators Brandland, Kastama and Esser

Brief Description: Authorizing additional tools for investigation of potential acts of terrorism.

**SB 5470 - DIGEST**

Authorizes the attorney general or a prosecuting attorney to request that a superior court issue an order providing a law enforcement agency, responsible for investigating potential acts of terrorism, with authority to intercept a wire, oral, or electronic communication. The superior court may enter the order if it finds that: (1) There is probable cause for belief that a person is committing, has committed, or is about to commit an act of terrorism;

(2) There is probable cause for belief that a particular communication concerning the offense will be obtained through the interception;

(3) If the interception is to occur at a fixed location, there is probable cause for belief that the place where the wire or electronic communication is to be intercepted is being used or is about to be used in connection with the commission of the act of terrorism; and

(4) Normal investigative procedures have been tried and have failed or reasonably appear to be unlikely to succeed if tried or to be too dangerous.

Provides that the interception cannot exceed thirty days. Upon termination of the interception, any recordings made in connection with the interception shall be presented to the court and sealed under the court's direction.