

2416

Sponsor(s): Representatives Hurst, Lisk, O'Brien, Ballasiotes, Buck, Kirby, Lovick and Haigh

Brief Description: Authorizing additional investigative tools to deter terrorism.

HB 2416 - DIGEST

(SUBSTITUTED FOR - SEE 1ST SUB)

Declares an intent to prevent terrorist attacks, and thereby save the lives of Washington residents by providing appropriate investigative tools that facilitate and promote cooperation between local, state, and federal law enforcement agencies, that remove barriers to cooperation in terrorism investigations, and that continue to protect the privacy rights of residents of the state.

Provides that, as part of a bona fide criminal investigation, the chief law enforcement officer of a law enforcement agency or his or her designee above the rank of first line supervisor may authorize the interception, transmission, or recording of a conversation or communication by officers under the following circumstances:

(1) At least one party to the conversation or communication has consented to the interception, transmission, or recording;

(2) Probable cause exists to believe that the conversation or communication involves an act of terrorism as defined in Title 9A RCW or a conspiracy to commit such an act; and

(3) A written report has been completed as required by this act.

Provides that an investigative or law enforcement officer may seek and the superior court may issue orders and extensions of orders authorizing the installation or application and use of pen registers and traps and traces. The request for an order shall be under oath and shall include the identity of the officer seeking the order and the identity of the law enforcement agency conducting the investigation. The officer must certify that the information likely to be obtained is relevant to an ongoing criminal investigation of terrorism being conducted by that agency.

Authorizes any investigative or law enforcement officer who, by any means authorized by this act, has obtained knowledge of the contents of any wire, oral, or electronic communication, or evidence derived from such contents, to disclose such contents or derivative evidence to another investigative or law enforcement officer, including an investigative or law enforcement officer of another state, to the extent that such disclosure is appropriate to the proper performance of the official duties of the officer making or receiving the disclosure.