



LAWS OF ALASKA

2003

Source

CSHB 114(JUD)(title am)

Chapter No.

AN ACT

Relating to the issuance of a search warrant upon the sworn testimony or affidavit of a person communicated by telephone, other appropriate means, or facsimile machine.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

THE ACT FOLLOWS ON PAGE 1

AN ACT

1 Relating to the issuance of a search warrant upon the sworn testimony or affidavit of a person
2 communicated by telephone, other appropriate means, or facsimile machine.

3 _____
4 * **Section 1.** AS 12.35.015(a) is amended to read:

5 (a) A judicial officer may issue a search warrant upon the sworn oral
6 testimony of a person communicated by telephone or other appropriate means, or
7 sworn affidavit transmitted by facsimile machine, if the judicial officer finds that there
8 is probable cause to believe that

9 (1) the presentation of the applicant's affidavit or testimony personally
10 before the judicial officer would result in a delay in obtaining or executing a search
11 warrant [AND IN EXECUTING THE SEARCH]; and

12 (2) the delay might result in loss or destruction of the evidence subject
13 to seizure or might interfere with an ongoing investigation.