

10-4A-06.

(a) (1) In this section the following words have the meanings indicated.

(2) "Supervisory official" means:

(i) The Secretary or Deputy Secretary of the State Police;

(ii) The chief of police, deputy chief of police, or equivalent official of a law enforcement agency of any political subdivision of the State;

(iii) The Attorney General of the State or a Deputy Attorney General;

(iv) The State Prosecutor or Deputy State Prosecutor; or

(v) A State's Attorney or Deputy State's Attorney.

(3) "Adverse result" means:

(i) Endangering the life or physical safety of an individual;

(ii) Flight from prosecution;

(iii) Destruction of or tampering with evidence;

(iv) Intimidation of potential witnesses; or

(v) Otherwise seriously jeopardizing an investigation or unduly delaying a trial.

[(4)] (B) An investigative or law enforcement officer acting under § 10-4A-04 of this [subtitle,] SUBTITLE may:

[(i)] (1) If a court order is sought, include in the application a request for an order delaying the notification required under § 10-4A-05 of this subtitle for a period not to exceed 90 days, which the court shall grant, if the court determines that there is reason to believe that notification of the existence of the court order may have an adverse result; or

[(ii)] (2) If a subpoena issued by a court of competent jurisdiction or a grand jury subpoena is obtained, delay the notification required under § 10-4A-05 of this subtitle for a period not to exceed 90 days, upon the execution of a written certification to a court of competent jurisdiction by a supervisory official that there is reason to believe that notification of the existence of the subpoena may have an adverse result.

[(5)] (C) The investigative or law enforcement officer shall maintain a true copy of a certification executed under [paragraph (4)(ii) of this] subsection (B)(2) OF THIS SECTION.

[(6)] (D) Extensions of a delay in notification may be granted by the court upon application or by certification by a supervisory official under [paragraph (4) of this] subsection (B) OF THIS SECTION. An extension may not exceed 90 days.