

DESCRIPTION OF THE NATURE AND LOCATION OF THE FACILITIES FROM WHICH OR THE PLACE WHERE THE COMMUNICATION IS TO BE INTERCEPTED IS NOT REQUIRED IF THE APPLICATION:

1. IS BY AN INVESTIGATIVE OR LAW ENFORCEMENT OFFICER;
2. IS APPROVED BY THE ATTORNEY GENERAL, THE STATE PROSECUTOR, OR A STATE'S ATTORNEY;
3. IDENTIFIES THE INDIVIDUAL BELIEVED TO BE COMMITTING THE OFFENSE AND WHOSE COMMUNICATIONS ARE TO BE INTERCEPTED;
4. MAKES A SHOWING THAT THERE IS PROBABLE CAUSE TO BELIEVE THAT THE INDIVIDUAL'S ACTIONS COULD HAVE THE EFFECT OF THWARTING INTERCEPTION FROM A SPECIFIED FACILITY; AND
5. SPECIFIES THAT INTERCEPTION WILL BE LIMITED TO TIMES WHERE IT IS REASONABLE TO PRESUME ANY PERIOD OF TIME WHEN THE INVESTIGATIVE OR LAW ENFORCEMENT OFFICER HAS A REASONABLE, ARTICULABLE BELIEF THAT THE INDIVIDUAL IDENTIFIED IN THE APPLICATION WILL BE PROXIMATE TO THE COMMUNICATION DEVICE AND WILL BE USING THE COMMUNICATION DEVICE THROUGH WHICH THE COMMUNICATION WILL BE TRANSMITTED.

(c) (1) Upon the application the judge may enter an ex parte order, as requested or as modified, authorizing interception of wire, oral, or electronic communications within the territorial jurisdiction permitted under paragraphs (2) and (3) of this subsection, if the judge determines on the basis of the facts submitted by the applicant that:

(i) There is probable cause for belief that an individual is committing, has committed, or is about to commit a particular offense enumerated in § 10-406 of this subtitle;

(ii) There is probable cause for belief that particular communications concerning that offense will be obtained through the interception;

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

(iv) There is probable cause for belief:

1. [that] THAT the facilities from which, or the place where, the wire, oral, or electronic communications are to be intercepted are being used, or are about to be used, in connection with the commission of the offense, or are leased to, listed in the name of, or commonly used by this person IN ACCORDANCE WITH SUBSECTION (A)(1) OF THIS SECTION; OR