

# Washington justices weigh warrantless searches of records

By GENE JOHNSON  
Associated Press  
February 24, 2015

OLYMPIA, Wash. — Washington's Supreme Court is hearing arguments Tuesday on whether investigators should have to get a search warrant to obtain private bank, phone, email and other records.

Under a decades-old law, prosecutors have been able to get those records without showing probable cause — the standard that applies to search warrants. Instead, they can get the information with a subpoena issued in a secret hearing called a "special inquiry."

Some lawyers say that's a violation of Washington's Constitution, which is considered to be more protective of people's privacy than the Fourth Amendment of the U.S. Constitution.

Prosecutors argue that the hearings are akin to grand jury proceedings without the grand jury — that they're an efficient way to tackle complex crimes and that they do meet constitutional requirements.