ADMINISTRATIVE OFFICE OF THE COURTS

COURTS OF APPEAL BUILDING
ANNAPOLIS, MARYLAND 21401
974-2141

STATE COURT ADMINISTRATOR
JAMES H. NORRIS, JR.

DEPUTY STATE COURT ADMINISTRATOR
ROBERT W. McKEEVER

REPORT ON WIRETAPPING AND ELECTRONIC SURVEILLANCE PURSUANT TO SEC. 10-409(C) OF THE COURTS ARTICLE

February 28, 1989

TO THE HONORABLE MEMBERS OF THE GENERAL ASSEMBLY OF MARYLAND:

This is the twelfth report submitted pursuant to section 10-409(c) which was enacted by Chapter 692, Acts of 1977. The report covers Calendar Year 1988.

There was a significant increase in the use of wiretapping and electronic surveillance during Calendar Year 1988. There were twenty surveillance reports received during Calendar Year 1987 compared to thirty-nine in 1988, an increase of 95 percent. The number of counties using electronic surveillance also increased during Calendar Year 1988, by fifty percent. Reports were received from nine of the twenty-four political subdivisions. Baltimore City filed the greatest number of reports with eighteen (46.2 percent), including two wiretaps that were installed but never used. Montgomery County followed with six reports (15.4 percent) and Prince George's County with five reports (12.8 percent). There were no reports filed in the Office of the Attorney General; however, there was one reported from the State Prosecutor's Office.

All thirty-nine requests for wiretapping and electronic surveillance were granted with an initial period of time of thirty days or less. There were eight extensions granted for thirty days each.

Violations of controlled dangerous substances laws and related offenses constituted the majority of the crimes for which electronic surveillances were requested with 35.9 percent. That was followed by gambling violations which constituted 30.8 percent of requests. With the increase in the use of cellular phones to facilitate criminal behavior, Calendar Year 1988 saw requests for the use of electronic surveillances on the aforementioned. Cellular phones accounted for 25.6 percent of surveillance use as did single family dwellings. Over twenty percent of the surveillances were used in business locations,

eighteen percent were used in apartments, and 2.6 percent were used in other locations. There were also three instances in which a wiretap was used in both a single family dwelling and a business location. Phone wiretaps were used in all but one case in which a tape was seized from the State's Attorney's Office.

There were 2,358 conversations of individuals intercepted as a result of the use of electronic surveillances. Also, there was a total of 31,814 interceptions of which 7,396 (23.2%) were of an incriminating nature. During the year, there were 271 arrests resulting from electronic surveillance use; however, many of the investigations are still pending. The total amount of money expended on the surveillances was $1,061,692 with an average cost per order of $28,694. The costs ranged from a low of $355 in Baltimore City to a high of $101,400 in Prince George's County for a single wiretap. Cost information was not available for two wiretaps, thus, the average cost per order reflects only the thirty-seven wiretaps for which cost information was reported.

A detailed breakdown of each order follows. Reporting numbers have been used to designate related reports filed by the judges and those filed by prosecuting officials.

Respectfully submitted,

James H. Norris, Jr.
State Court Administrator

JHN:npg
Enclosure

Statewide Summary of Wiretapping and
Electronic Surveillance for January 1 - December 31, 1988

Offense

Bribery, Conspiracy to Violate CDS Laws	- 1	(2.6%)
Conspiracy to Distribute Controlled Dangerous Substances	- 6	(15.4%)
Conspiracy to Smuggle Cocaine	- 2	(5.1%)
Distribution and Conspiracy to Distribute Controlled Dangerous Substances	- 1	(2.6%)
Distribution of Controlled Dangerous Substances	- 3	(7.7%)
Gambling	- 12	(30.8%)
Importation and Distribution of CDS; Solicitation to Commit Murder	- 3	(7.7%)
Narcotics	- 7	(17.9%)
Narcotics, Conspiracy	- 4	(10.2%)
	39	(100.0%)

Location

Apartment	- 7	(18.0%)
Cellular Phone	- 10	(25.6%)
Business	- 8	(20.5%)
Single Family Dwelling	- 10	(25.6%)
Single Family Dwelling/ Business	- 3	(7.7%)
Other	- 1	(2.6%)
	39	(100.0%)

Type of Device

Phone Wiretap	- 38	(97.4%)
Seized Tape	- 1	(2.6%)
	39	(100.0%)

No. of Conversations of Individuals Intercepted

2,358

No. of Intercepts

31,814

No. of Incriminating Intercepts

7,396

No. of Arrests During Period

271

WIRETAPPING AND ELECTRONIC SURVEILLANCE
PURSUANT TO 10-409(c) OF THE COURTS ARTICLE
JANUARY 1 - DECEMBER 31, 1988

REPORTS BY JUDGES

Reporting Number*	Court	Official Authorizing Application	Offense Specified	Type of Intercept[1]	Location[2]	Date of Application	AUTHORIZED LENGTH: Original Order (Days)	AUTHORIZED LENGTH: Number of Extensions	AUTHORIZED LENGTH: Total Length (Days)
Allegany County									
1	Circuit Court	State's Attorney	Gambling	PW	A	3/17/88	30	0	30
Baltimore City									
1	Circuit Court	State's Attorney	Narcotics	PW	D	5/20/88	30	0	30
2	Circuit Court	State's Attorney	Narcotics	PW	D	5/20/88	30	0	30
3	Circuit Court	State's Attorney	Narcotics	PW	D	5/20/88	30	0	30
4	Circuit Court	State's Attorney	Narcotics	PW	D	6/1/88	30	1	60
5	Circuit Court	State's Attorney	Narcotics	PW	D	6/1/88	30	1	60
6	Circuit Court	State's Attorney	Narcotics	PW	D	6/1/88	30	1	60
7	Circuit Court	State's Attorney	Narcotics	PW	D	6/1/88	30	1	60
8	Circuit Court	State's Attorney	Gambling	PW	S	9/16/88	30	1	60
9	Circuit Court	State's Attorney	Gambling	PW	Cellular Phone	11/28/88	30	0	30
10	Circuit Court	State's Attorney	Gambling	PW	Cellular Phone	11/28/88	30	0	30
11	Circuit Court	State's Attorney	Gambling	PW	Cellular Phone	11/28/88	30	0	30
12	Circuit Court	State's Attorney	Gambling	PW	Cellular Phone	11/28/88	30	0	30
13	Circuit Court	State's Attorney	Gambling	PW	Cellular Phone	11/28/88	30	0	30
14	Circuit Court	State's Attorney	Gambling	PW	Cellular Phone	11/28/88	30	0	30
15	Circuit Court	State's Attorney	Gambling	PW	Cellular Phone	11/28/88	30	0	30
16	Circuit Court	State's Attorney	Gambling	PW	Cellular Phone	11/28/88	30	0	30
*17	Circuit Court	State's Attorney	Gambling	PW	Cellular Phone	11/28/88	30	0	30
*18	Circuit Court	State's Attorney	Gambling	PW	Cellular Phone	11/28/88	30	0	30
Baltimore County									
1	Circuit Court	State's Attorney	Narcotics, Conspiracy	PW	S	1/6/88	29	0	29
2	Circuit Court	State's Attorney	Narcotics, Conspiracy	PW	S	1/6/88	29	1	59
3	Circuit Court	State's Attorney	Narcotics, Conspiracy	PW	S	2/18/88	29	0	29
4	Circuit Court	State's Attorney	Narcotics, Conspiracy	PW	S	10/25/88	30	0	30

*These wiretaps were installed but never used.

*Corresponds to same number on reports by prosecuting officers.
[1]TYPE: PW = Phone wire; ME = Microphone-eavesdrop.
[2]LOCATION: S = Single family dwelling; A = Apartment; D = Business location; PP = Pay phone; NR = Not reported.

WIRETAPPING AND ELECTRONIC SURVEILLANCE
PURSUANT TO 10-409(c) OF THE COURTS ARTICLE
JANUARY 1 - DECEMBER 31, 1988

REPORTS BY JUDGES

Reporting Number*	Court	Official Authorizing Application	Offense Specified	Type of Intercept[1]	Location[2]	Date of Application	AUTHORIZED LENGTH		
							Original Order (Days)	Number of Extensions	Total Length (Days)
Cecil County									
1	Circuit Court	State's Attorney	Conspiracy to Smuggle Cocaine	PW	A	7/19/88	30	0	30
2	Circuit Court	State's Attorney	Conspiracy to Smuggle Cocaine	PW	A	7/19/88	30	0	30
Dorchester County									
1	Circuit Court	State's Attorney	Distribution of CDS	PW	S	11/17/88	30	0	30
Kent County									
1	Circuit Court	State Prosecutor	Bribery, Conspiracy to Violate CDS Laws	Interception of a Seized Tape	Office of the State's Attorney	12/2/88	1	0	1
Montgomery County									
1	Circuit Court	State's Attorney	Conspiracy to Distribute CDS	PW	S	8/1/88	30	0	30
2	Circuit Court	State's Attorney	Conspiracy to Distribute CDS	PW	A	9/1/88	30	0	30
3	Circuit Court	State's Attorney	Conspiracy to Distribute CDS	PW	A	9/1/88	30	0	30
4	Circuit Court	State's Attorney	Importation and Distribution of CDS, Solicitation to Commit Murder	PW	S, D	11/15/88	30	0	30
5	Circuit Court	State's Attorney	Importation and Distribution of CDS, Solicitation to Commit Murder	PW	S, D	11/15/88	30	0	30
6	Circuit Court	State's Attorney	Importation and Distribution of CDS, Solicitation to Commit Murder	PW	S, D	11/15/88	30	0	30

*Corresponds to same number on reports by prosecuting officers.
[1]TYPE: PW = Phone wire; ME = Microphone-eavesdrop.
[2]LOCATION: S = Single family dwelling; A = Apartment; D = Business location; PP = Pay phone; NR = Not reported.

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PURSUANT TO 10-409(c) OF THE COURTS ARTICLE
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REPORTS BY JUDGES

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							Original Order (Days)	Number of Extensions	Total Length (Days)
Prince George's County									
1	Circuit Court	State's Attorney	Distribution of CDS	PW	A	11/30/87*	30	2	90
2	Circuit Court	State's Attorney	Distribution of CDS	PW	S	1/4/88	30	0	30
3	Circuit Court	State's Attorney	Conspiracy to Distribute CDS	PW	D	8/1/88	30	0	30
4	Circuit Court	State's Attorney	Conspiracy to Distribute CDS	PW	S	8/1/88	30	0	30
5	Circuit Court	State's Attorney	Conspiracy to Distribute CDS	PW	S	8/1/88	30	0	30
Washington County									
1	Circuit Court	State's Attorney	Distribution and Conspiracy to Distribute CDS	PW	A	4/25/88	30	0	30

*The initial date of application was in Calendar Year 1987; however, the two extensions were granted during Calendar Year 1988.

*Corresponds to same number on reports by prosecuting officers.
[1]TYPE: PW = Phone wire; ME = Microphone-eavesdrop.
[2]LOCATION: S = Single family dwelling; A = Apartment; D = Business location; PP = Pay phone; NR = Not reported.

WIRETAPPING AND ELECTRONIC SURVEILLANCE
PURSUANT TO 10-409(c) OF THE COURTS ARTICLE
JANUARY 1 - DECEMBER 31, 1988

REPORTS BY PROSECUTING OFFICERS

Reporting Number*	Number of Days in Operation	Average Number of Intercepts Per Day	NUMBER OF			COSTS		NUMBER OF			
			Conversations of Individuals Intercepted	Intercepts	Incrimi-nating Intercepts	Total ($)	Other Than Manpower ($)	Persons Arrested	Trials	Motions to Suppress Intercepts	Persons Convicted
Allegany County											
1	17	18	18	302	190	$6,005	$950	0	0	0	0
Baltimore City											
1	22	7	53	146	8	12,431	3,763)				
2	22	29	128	634	20	35,291	3,788)				
3	22	.23	6	5	1	6,219	3,738)				
4	59	53	356	3,122	129	62,603	7,055) [1]	24	----------	Pending	----------
5	59	25	164	1,488	58	35,424	6,930)				
6	59	7	109	418	21	17,574	6,855)				
7	59	1.1	20	62	0	12,426	6,831)				
8	52	6	49	327	183	17,435	3,395)				
9	5	28	36	140	132	8,101	820)				
10	1	14	9	14	11	1,620	164)				
11	12	5	13	65	61	19,897	1,990)				
12	10	3	8	31	29	16,201	1,640) [2]	82	----------	Pending	----------
13	5	4	9	18	15	8,100	820)				
14	8	0.4	4	3	0	12,962	1,312)				
15	1	4	3	4	4	1,620	164)				
16	7	29	11	201	190	11,796	1,170)				
17	This wiretap was installed but never used.					355	59	----------		N/A	----------
18	This wiretap was installed but never used.					355	59	----------		N/A	----------

[1] These figures are the net result of seven related cases constituting a single investigation.
[2] These figures are the net result of nine related cases constituting a single investigation.

*Corresponds to same number on reports by judges.

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REPORTS BY PROSECUTING OFFICERS

Reporting Number*	Number of Days in Operation	Average Number of Intercepts Per Day	NUMBER OF			COSTS		NUMBER OF			
			Conversations of Individuals Intercepted	Intercepts	Incriminating Intercepts	Total ($)	Other Than Manpower ($)	Persons Arrested	Trials	Motions to Suppress Intercepts	Persons Convicted
Baltimore County											
1	29	32	65	940	140	37,072	2,072	0	0	0	0
2	59	66	204	3,891	917	37,072	2,072	30	----------	Pending	----------
3	14	38	37	525	60	37,072	2,072	2	----------	Pending	----------
4	5	46	34	228	34	22,260	3,380	6	----------	Pending	----------
Cecil County											
1	25	35	82	873	97)[3]	31,650	2,650	21	----------	Pending	----------
2	25	23	41	581	42)						
Dorchester County											
1	----------				Not Available						
Kent County											
1	1	1	2	1	1	2,479	0	1	----------	Pending	----------
Montgomery County											
1	15	40	10	600	30	See footnote 6.					
2	21	105	51	2,214	1,186)[4]	114,000	6,000	50	-----	Pending ------	2
3	21	29	51	614	231)						
4	30	97	200	2,910	428)[5]						
5	30	18	35	554	32)	158,000	8,000	4	----------	Pending	----------
6	30	38	65	1,128	80)						

[3] These figures are the net result of two related cases constituting a single investigation.
[4] These figures are the net result of two related intercepts constituting a single investigation.
[5] These figures are the net result of three related intercepts constituting a single investigation.

*Corresponds to same number on reports by judges.

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Reporting Number*	Number of Days in Operation	Average Number of Intercepts Per Day	NUMBER OF			COSTS		NUMBER OF			
			Conversations of Individuals Intercepted	Intercepts	Incriminating Intercepts	Total ($)	Other Than Manpower ($)	Persons Arrested	Trials	Motions to Suppress Intercepts	Persons Convicted
Prince George's County											
1	73	45	33	3,200	2,600	Not reported	Not reported	11	---------- Pending ----------		
2	18	211	30	3,800	200	101,400	1,400	25	1	1	11
3	15	100	100	1,500	17)						
4	15	37	5	550	33) [6]	139,100	10,100	12	---------- Pending ----------		
5	15	8	15	120	11)						
Washington County											
1	22	28	302	605	205	95,172	4,800	3	---------- Pending ----------		

[6] These figures are the net result of four related cases constituting a single investigation.

*Corresponds to same number on reports by judges.