

135927

ADMINISTRATIVE OFFICE OF THE COURTS

COURTS OF APPEAL BUILDING  
ANNAPOLIS, MARYLAND 21401  
974-2353

STATE COURT ADMINISTRATOR  
GEORGE B. RIGGIN, JR.



DEPUTY STATE COURT ADMINISTRATORS  
ROBERT W. MCKEEVER  
FRANK BROCCOLINA

February 28, 1992

Honorable Thomas V. "Mike" Miller  
President of the Senate  
Honorable R. Clayton Mitchell, Jr.  
Speaker of the House  
c/o Department of Legislative Reference  
Chief Legislative Librarian  
Legislative Services Building  
90 State Circle  
Annapolis, Maryland 21401-1991

NCJRS

FEB 1 1992

ACQUISITIONS

Re: Report on Wiretapping and Electronic Surveillance  
Pursuant to Section 10-409 of the Courts Article

Dear Senator Miller and Delegate Mitchell:

Pursuant to Article 40, Section 51(f) of the Code, I enclose five copies of the report to the General Assembly required by Section 10-409(c) of the Courts Article. This report is sent to the Department of Legislative Reference pursuant to the provisions of Section 2-1312 of the State Government Article.

The report covers the period January 1, 1991 - December 31, 1991.

Sincerely,

George B. Riggin, Jr.  
State Court Administrator

Enclosures

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**U.S. Department of Justice  
National Institute of Justice**

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Office of the Courts

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

February 28, 1992

**TO THE HONORABLE MEMBERS OF THE GENERAL ASSEMBLY OF MARYLAND:**

This is the fifteenth report submitted pursuant to section 10-409(c) which was enacted by Chapter 692, Acts of 1977. The report covers Calendar Year 1991.

The use of electronic surveillance more than doubled during Calendar Year 1991. Twenty-five requests for electronic surveillance were authorized during the year compared to twelve authorizations in Calendar Year 1990, an increase of approximately 108 percent. That increase follows a 62.5 percent decrease reported in Calendar Year 1990. Requests were initiated in five of the twenty-four subdivisions which is consistent with the previous year. Of the five counties requesting electronic surveillance, Baltimore County filed the greatest number of reports with sixteen or 64 percent of all reports filed. Prince George's County followed with five or 20 percent. Cecil county filed two reports, while Harford and Montgomery Counties each filed one report. Both, the Office of the Attorney General and the State Prosecutor's Office reported that there were no requests filed by their respective offices during the year.

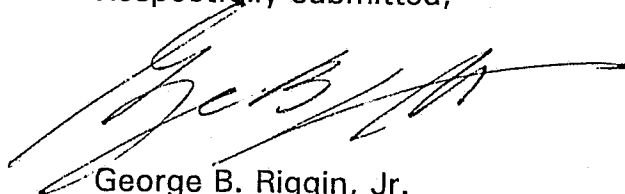
Each of the twenty-five requests for wiretapping or electronic surveillance were granted with an original period of time of thirty days or less. Extensions were granted in eight of the surveillances. Additionally, there were two extensions granted for one wiretap investigation.

Given the present state of the drug problem throughout the country, it is not surprising that all of the surveillances involved crimes relating to violations of the controlled dangerous substances laws. The location of eleven or 44 percent of the electronic surveillances were single family dwellings. Businesses accounted for six or 24 percent of the surveillances. The remaining surveillances involved two cellular phones, one pay phone, and two digital display pagers. Phone wiretaps were used in all twenty-five surveillances.

Information was not available for one wiretap investigation, however, the remaining twenty-four electronic surveillances resulted in 22,543 intercepts of which 703 or 3.1 percent were of an incriminating nature. Additionally, the conversations of 3,759 individuals were intercepted. Although several investigations are still pending, sixty-eight (68) persons have been arrested thus far as a result of the electronic surveillances. A total of \$362,758 was expended on the surveillances for which information was available. The cost of a single wiretap ranged from a low of \$13,820 in Baltimore County to a high of \$36,666 also in Baltimore County.

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

Respectfully submitted,



George B. Riggan, Jr.  
State Court Administrator

Enclosures

**Statewide Summary of Wiretapping and  
Electronic Surveillance for January 1 - December 31, 1991**

<u>Offense</u>		<u>Location</u>	
CDS Violations	3 ( 12.0%)	Apartment	3 ( 12.0%)
Conspiracy to Violate CDS Laws	4 ( 16.0%)	Business	6 ( 24.0%)
Distribution of Cocaine	16 ( 64.0%)	Cellular Phone	2 ( 8.0%)
Distribution of Marijuana	<u>2 ( 8.0%)</u>	Pay Phone	1 ( 4.0%)
	25 (100.0%)	Single Family Dwelling	11 ( 44.0%)
		Other	<u>2 ( 8.0%)</u>
			25 (100.0%)

Type of Device

No. of Conversations of  
Individuals Intercepted

Phone Wiretap - 25 (100.0%)

3,759

No. of Intercepts

No. of Incriminating Intercepts

22,543

703

No. of Arrests During Period

68

**WIRETAPPING AND ELECTRONIC SURVEILLANCE  
PURSUANT TO SEC. 10-409(c) OF THE COURTS ARTICLE  
JANUARY 1 - DECEMBER 31, 1991**

REPORTS BY JUDGES									
Reporting Number*	Court	Official Authorizing Application	Offense Specified	Type of Intercept <sup>1</sup>	Location <sup>2</sup>	Date of Application	AUTHORIZED LENGTH		
							Original Order (Days)	Number of Extensions	Total Length (Days)
<b>Baltimore County</b>									
1	Circuit Court	State's Attorney	CDS Violation	PW	S	01/22/91	30	0	30
2	Circuit Court	State's Attorney	CDS Violation	PW	A	01/22/91	30	1	60
3	Circuit Court	State's Attorney	CDS Violation	PW	S	01/22/91	30	1	60
4	Circuit Court	State's Attorney	Distribution of Cocaine	PW	A	03/07/91	30	0	30
5	Circuit Court	State's Attorney	Distribution of Cocaine	PW	A	03/07/91	30	0	30
6	Circuit Court	State's Attorney	Distribution of Cocaine	PW	D	03/25/91	30	0	30
7	Circuit Court	State's Attorney	Distribution of Cocaine	PW	D	03/25/91	30	0	30
8	Circuit Court	State's Attorney	Distribution of Cocaine	PW	S	03/25/91	30	0	30
9	Circuit Court	State's Attorney	Distribution of Cocaine	PW	D	03/25/91	30	0	30
10	Circuit Court	State's Attorney	Distribution of Cocaine	PW	S	04/02/91	30	1	60
11	Circuit Court	State's Attorney	Distribution of Cocaine	PW	D	06/19/91	30	1	60
12	Circuit Court	State's Attorney	Distribution of Cocaine	PW	S	06/19/91	30	1	60
13	Circuit Court	State's Attorney	Distribution of Cocaine	PW	D	07/12/91	30	0	30
14	Circuit Court	State's Attorney	Distribution of Cocaine	PW	PP	07/12/91	30	0	30
15	Circuit Court	State's Attorney	Distribution of Marijuana	PW	S	11/29/91	14	0	14
16	Circuit Court	State's Attorney	Distribution of Marijuana	PW	S	11/29/91	14	0	14

**REPORTS BY JUDGES**

**AUTHORIZED LENGTH**

Reporting Number*	Court	Official Authorizing Application	Offense Specified	Type of Intercept <sup>1</sup>	Location <sup>2</sup>	Date of Application	Original Order (Days)	Number of Extensions	Total Length (Days)
<b>Cecil County</b>									
1	Circuit Court	State's Attorney	Distribution of Cocaine	PW	S	06/21/91	30	1	60
2	Circuit Court	State's Attorney	Distribution of Cocaine	PW	S	06/21/91	30	0	30
<b>Harford County</b>									
1	Circuit Court	State's Attorney	Distribution of Cocaine	PW	S	11/20/91	30	1	51
<b>Montgomery County</b>									
1	Circuit Court	State's Attorney	Distribution of Cocaine	PW	S	09/16/91	30	0	30
<b>Prince George's County</b>									
1	Circuit Court	State's Attorney	Distribution of Cocaine	PW	Cellular Phone	03/21/91	30	2	90
2	Circuit Court	State's Attorney	Conspiracy to Violate CDS Laws	PW	Cellular Phone	08/20/91	30	0	30
3	Circuit Court	State's Attorney	Conspiracy to Violate CDS Laws	PW	D	08/20/91	30	0	30
4	Circuit Court	State's Attorney	Conspiracy to Violate CDS Laws	PW	Digital Display Pager	08/20/91	30	0	30
5	Circuit Court	State's Attorney	Conspiracy to Violate CDS Laws	PW	Digital Display Pager	08/20/91	30	0	30

\* Corresponds to same number on reports by prosecuting officers.

<sup>1</sup> TYPE: PW = Phone wire; ME = Microphone-eavesdrop.

<sup>2</sup> LOCATION: S = Single family dwelling; A = Apartment; D = Business location; PP = Pay phone; NR = Not reported.

WIRETAPPING AND ELECTRONIC SURVEILLANCE  
PURSUANT TO SEC. 10-409(c) OF THE COURTS ARTICLE  
JANUARY 1 - DECEMBER 31, 1991

REPORTS BY PROSECUTING OFFICERS													
			NUMBER OF			COSTS		NUMBER OF					
Reporting Number*	Number of Days in Operation	Average Number of Intercepts Per Day	Conversations of Individuals Intercepted	Intercepts	Incriminating Intercepts	Total (\$)	Other Than Manpower (\$)	Persons Arrested	Trials	Motions to Suppress Intercepts	Persons Convicted		
<b>Baltimore County</b>													
1	30	9.4	30	282	10	\$36,666	\$3,666	2	Pending	2 granted	Pending		
2	53	66.4	79	3,520	48	36,666	3,666	20	Pending	20 denied	Pending		
3	53	59.0	95	3,126	41	36,666	3,666	18	Pending	18 denied	Pending		
4	28	10.9	20	304	49	<sup>1</sup> 19,072	440	0	0	0	0		
5	17	1.0	1	1	1								
6	29	17.0	276	494	11	<sup>2</sup> 16,988	860	6	-----Pending-----				
7	29	0.8	9	24	0								
8	11	13.9	58	153	21								
9	29	4.4	23	129	2								
10	52	14.7	176	764	72								
11	53	40.6	1,627	2,154	64	<sup>3</sup> 17,212	1,100	10	-----Pending-----				
12	53	21.5	312	1,140	43								
13	30	28.4	233	851	3								
14	30	22.3	516	669	2								
15	14	3.0	10	42	8	13,820	500	0	0	0	0		
16	14	7.9	20	111	13	13,820	500	0	0	0	0		
<b>Cecil County</b>													
1	56	20.1	31	1,128	158	33,650	1,450	2	-----Pending-----				
2	30	6.4	28	193	10	18,000	500	-----Pending-----					



**REPORTS BY PROSECUTING OFFICERS**

			NUMBER OF			COSTS		NUMBER OF			
Reporting Number*	Number of Days in Operation	Average Number of Intercepts Per Day	Conversations of Individuals Intercepted	Intercepts	Incriminating Intercepts	Total (\$)	Other Than Manpower (\$)	Persons Arrested	Trials	Motions to Suppress Intercepts	Persons Convicted
<b>Harford County</b>											
1	-----Not Available-----										
<b>Montgomery County</b>											
1	13	5.4	25	70	20	See Note		3	-----Pending-----		
<b>Prince George's County</b>											
1	60	1.9	12	117	36	16,978	850	6	-----Pending-----		
2	23	41.7	47	958	17	4103,220	1,948	1	Case dismissed for further investigation.		
3	23	153.5	54	3,531	13						
4	23	117.9	62	2,711	Unknown						
5	14	5.1	15	71	61						

\* Corresponds to same number on reports by judges.

<sup>1</sup> These figures are the net result of two related cases constituting a single investigation.

<sup>2</sup> These figures are the net result of five related cases constituting a single investigation.

<sup>3</sup> These figures are the net result of four related cases constituting a single investigation.

<sup>4</sup> These figures are the net result of four related cases constituting a single investigation.

Note: The manner in which the intercept was conducted required no additional funds for overtime. Therefore, it is not possible to calculate the costs of manpower and other resources.