



ADMINISTRATIVE OFFICE OF THE COURTS

MARYLAND JUDICIAL CENTER
580 TAYLOR AVENUE
ANNAPOLIS, MARYLAND 21401

Pamela Harris
State Court Administrator
410-260-1295

February 28, 2017

Honorable Thomas V. "Mike" Miller, Jr.
President of the Senate
State House, H-107
Annapolis, MD 21401

Honorable Michael E. Busch
Speaker of the House
State House, H-101
Annapolis, MD 21401

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

Dear President Miller and Speaker Busch:

Pursuant to Section 2-1246 of the State Government Article, I enclose the report to the General Assembly required by Section 10-409(c) of the Courts and Judicial Proceedings Article.

The report covers the period January 1, 2016 - December 31, 2016. If you have any questions, please contact Jamie Walter at (410) 260-1725, or via email at jamie.walter@mdcourts.gov.

Sincerely yours,

Pamela Harris

Enclosures

cc: Honorable Mary Ellen Barbera, Chief Judge, Court of Appeals
Victoria Gruber, Chief of Staff, Senate President
Alexandra Hughes, Chief of Staff, House Speaker
Sarah Albert, Mandated Reports Specialist



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

February 28, 2017

TO THE HONORABLE MEMBERS OF THE GENERAL ASSEMBLY OF MARYLAND:

This is the thirty-eighth report submitted pursuant to §10-409(c) of the Courts and Judicial Proceedings Article. The report covers Calendar Year 2016.

During 2016 there were 74 requests for electronic surveillance. This is consistent with Calendar Year 2015's 71 requests. Eight jurisdictions requested authorization for electronic surveillance during Calendar Year 2016, including 51 requests from Baltimore City, six requests from Queen Anne's County, four requests from Frederick County, three requests from Cecil County, three requests from Howard County, three requests from Worcester County, two requests from Harford County, and two requests from Wicomico County. Several investigations were the result of multiple wiretaps, as indicated in the accompanying tables.

During Calendar Year 2016, 47 of the surveillances requested involved investigations pertaining to felony drug trafficking; and 11 requests related to controlled dangerous substance distribution. Other categories of offenses with requests for surveillance included narcotics (six), murder (six), illegal drugs (two), and possession with the intent to distribute heroin (two). Cellular phones comprised 88% (65 requests) of intercepted devices during Calendar Year 2016. Personal residence comprised three percent (two requests) and Jail Visitation Room comprised one percent (one request) of the remaining requests. Six surveillance requests did not report a location; this made up eight percent of the requests.

There were 258,284 total communications intercepted, including 44,618 that were of an incriminating nature. This compares to 148,104 communications intercepted and 32,058 incriminating intercepts during Calendar Year 2015. The conversations of 9,594 individuals were intercepted during the surveillance. Altogether, there were 13 investigations. While the results of four investigations are still pending, thus far there have been a total of 149 arrests. Overall, \$1,501,347 was reportedly spent on electronic surveillance personnel and resource costs during Calendar Year 2016, compared to the previous year's total of \$1,215,894 and the Calendar Year 2014 total of \$1,577,770. (CY 2016 does not include any cost of surveillance in Frederick, Harford, and one surveillance in Queen Anne's County as law enforcement agencies did not report this information.) The greatest amount of money expended on a single electronic surveillance was reported by Baltimore City with \$426,231 on multiple wiretaps. The next most costly was an investigation also in Baltimore City, totaling \$285,000. Other investigations in Cecil County, Frederick County, Harford County, Howard County, Queen Anne's County, Wicomico County, and Worcester County ranged in total cost from \$700 to \$109,000. No supplemental reports updating results of pending investigations from prior years were submitted.

A detailed breakdown of each request is attached. Corresponding numbers are used to relate reports submitted by prosecuting officials to those submitted by judges.

Respectfully submitted,



Pamela Harris
State Court Administrator

Enclosures

**WIRETAPPING AND ELECTRONIC SURVEILLANCE PURSUANT TO SEC. 10-409(c) OF THE COURTS ARTICLE
JANUARY 1 - DECEMBER 31, 2016**

REPORTS BY PROSECUTING OFFICERS											
Reporting Number	Number of Days in Operation	Average Number of Intercepts Per Day	Number of			Costs		Number of			
			Intercepts	Conversations of Individuals Intercepted	Incriminating Intercepts	Total Cost(\$)/Non-Personnel Cost(\$)		Persons Arrested	Trials	Motions to Suppress Intercepts	Persons Convicted
Baltimore City											
1	60	18.3	1098	66	277	\$163,036.45	Unreported	0	0	0	0
2	52	36.5	1,900	115	210						
3	12	34.9	419	37	102						
4	28	247.4	6,927	160	793						
5	13	199.2	2,589	73	33						
6	9	48.0	432	126	224						
7	240	208.3	50,000	400	6,000	\$109,660	\$15,000	11	0	0	Pending
8											
9											
10											
11											
12											
13											
14											
15											
16											
17											
18											
19											
20											
21											

REPORTS BY PROSECUTING OFFICERS											
Reporting Number	Number of Days in Operation	Average Number of Intercepts Per Day	Number of			Costs		Number of			
			Intercepts	Conversations of Individuals Intercepted	Incriminating Intercepts	Total Cost(\$)/Non-Personnel Cost(\$)	Persons Arrested	Trials	Motions to Suppress Intercepts	Persons Convicted	
22	16	3.8	61	8	7	\$426,231	\$166,076	32	Pending	Pending	Pending
23	30	273.8	8,213	245	1,917						
24	30	102.3	3,069	69	192						
25	18	56.1	1,009	12	33						
26	39	280.2	10,928	440	3,153						
27	73	129.1	9,422	233	1,890						
28	13	101.2	1,316	96	133						
29	13	95.0	1,235	14	25						
30	30	105.0	3,149	309	698						
31	30	192.8	5,784	126	839						
32	12	73.0	876	47	198						
33	25	111.2	2,781	86	314						
34	2	26.5	53	13	6						
35	30	393.1	11,793	316	3,017						
36	Unreported	Unreported	Unreported	Unreported	Unreported						
37	30	362.1	10,862	279	2,945						
38	Unreported	Unreported	Unreported	Unreported	Unreported						
39	Unreported	Unreported	Unreported	Unreported	Unreported						
40	Unreported	Unreported	Unreported	Unreported	Unreported						
41	Unreported	Unreported	Unreported	Unreported	Unreported						
42	Unreported	Unreported	Unreported	Unreported	Unreported						
43	Unreported	Unreported	Unreported	Unreported	Unreported						
44	13	0.2	3	1	0	\$285,000	Unreported	12	1	0	12
45	38	125.1	4,755	68	176						
46	28	74.5	2,085	142	255						
47	26	11.0	286	69	32	\$5,050	\$1,100	9	0	0	0
48	30	68.2	2,047	86	43						
49	30	38.9	1,168	46	19	\$5,400	\$450	9	0	0	0
50	30	393.8	11,814	136	Unreported	\$5,010	\$60				
51	0	0	0	0	0	\$0	\$0	0	0	0	0
Cecil County											
1	30	294.1	8823	852	3248	\$81,800	\$5,000	7	Unreported	Unreported	Unreported
2	20	101.7	2033	47	581						
3	16	7.4	119	18	69						
Frederick County											
1	56	242.6	13,584	226	1,469	Unreported	Unreported	8	5 pleas	3	5
2	28	136.4	3,818	104	1,602	Unreported	Unreported	13	Unreported	Unreported	Unreported
3	15	317.7	4,765	46	2,537						
4	8	84.6	677	26	154						

REPORTS BY PROSECUTING OFFICERS											
Reporting Number	Number of Days in Operation	Average Number of Intercepts Per Day	Number of			Costs		Number of			
			Intercepts	Conversations of Individuals Intercepted	Incriminating Intercepts	Total Cost(\$)/Non-Personnel Cost(\$)	Persons Arrested	Trials	Motions to Suppress Intercepts	Persons Convicted	
Harford County											
1	32	429.8	13,754	60	4,350	Unreported	Unreported	Unreported	Unreported	Unreported	Unreported
2	30	102.5	3,074	30	1,073	Unreported	Unreported	Unreported	Unreported	Unreported	Unreported
Howard County											
1	30	142.3	4270	119	1074	\$88,324	\$1,915	30	23	5	22
2	27	N/A	Unreported	Unreported	Unreported						
3	27	234.3	6,325	156	1012						
Queen Anne's County											
1	52	98.8	5,137	Unreported	Unreported	\$109,000	\$2,500	6	2 trials 4 pleas	2	6
2	46	104.3	4,796	Unreported	Unreported	\$5,900	\$2,500	3	3 pleas	0	3
3	8	3.1	25	Unreported	Unreported	Unreported	Unreported	0	N/A	N/A	N/A
4	29	95.9	2,780	Unreported	Unreported	\$4,100	\$1,600	3	3 pleas	0	3
5	16	198.0	3,168	Unreported	Unreported	\$1,200	\$400	3	3 pleas	1	3
6	7	159.7	1,118	Unreported	Unreported	\$700	\$300	3	3 pleas	1	3
Wicomico County											
1	44	Unreported	Unreported	Unreported	Unreported	\$30,100	\$2,500	3	Unreported	Unreported	Pending
2	50	119.5	5,976	Unreported	Unreported	\$33,836	\$3,100	5	Unreported	4	Pending
Worcester County											
1	30	255.7	7,671	1,364	1,468	\$49,000	\$6,000	Unreported	Unreported	Unreported	Unreported
2	30	79.9	2,396	1,364	1,055	\$49,000	\$6,000	Unreported	Unreported	Unreported	Unreported
3	21	376.2	7,901	1364	1395	\$49,000	\$6,000	1	1	0	1