



ADMINISTRATIVE OFFICE OF THE COURTS

MARYLAND JUDICIAL CENTER
187 HARRY S. TRUMAN PARKWAY
ANNAPOLIS, MARYLAND 21401

Pamela Harris
State Court Administrator
410-260-1295

March 18, 2020

Honorable Bill Ferguson
President of the Senate
H-107 State House
100 State Circle
Annapolis, Maryland 21401

Honorable Adrienne A. Jones
Speaker of the House
H-101 State House
100 State Circle
Annapolis, Maryland 21401

Re: Amended Report on Wiretapping and Electronic Surveillance

Dear President Ferguson and Speaker Jones:

Pursuant to State Government Article § 2-1257, the Judiciary herein submits an amended report on wiretapping and electronic surveillance under Courts and Judicial Proceedings Article § 10-409(c).

This report covers the period of January 1, 2019 – December 31, 2019. If you have any questions, please contact Jamie Walter at (410) 260-1275, or via email at jamie.walter@mdcourts.gov.

Sincerely,

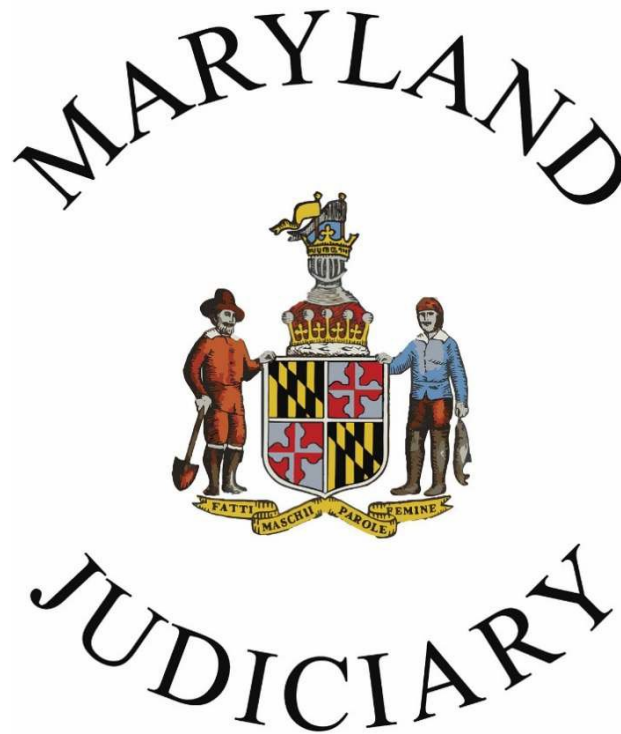
Pamela Harris
State Court Administrator

Enc.

cc: Honorable Mary Ellen Barbera, Chief Judge, Court of Appeals
Yaakov E. "Jake" Weissmann, Chief of Staff, President of the Senate
Alexandra Hughes, Chief of Staff, Speaker of the House
Sarah Albert, Mandated Reports Specialist

Amended Report on Wiretapping and Electronic Surveillance

Calendar Year 2019



Administrative Office of the Courts

March 2020

Report on Wiretapping and Electronic Surveillance

This is the 41st report submitted pursuant to § 10-409(c) of the Courts and Judicial Proceedings Article. The report covers Calendar Year 2019.

During 2019, there were 43 requests for electronic surveillance, a decrease of approximately 37.7 percent from the 69 requests reported in Calendar Year 2018. The 43 applications for surveillance were received by judges in six jurisdictions, including 14 in Baltimore County; 10 in Baltimore City, nine in Washington County; seven in Dorchester County, two in Allegany County, and one in Wicomico County. Several investigations involved multiple wiretaps, as indicated in the accompanying tables.

During Calendar Year 2019, nearly all reported surveillances involved investigations concerning possible violations of controlled dangerous substances laws. Specifically, narcotics was noted in 15 (35 percent) of the requests, drugs - illegal in 9 (21 percent) of the requests, conspiracy to distribute controlled dangerous substances in 8 (19 percent) of the requests, drug trafficking in 7 (16 percent) of the requests, drug kingpin conspiracy in two (5 percent) of the requests, and controlled dangerous substance kingpin in one (2 percent) of the requests. The remaining request for electronic surveillance involved a conspiracy to kidnap offense.

Nearly 98 percent (42) of the intercepts during Calendar Year 2019 involved cellular phones. One request listed the type as a computer, but all indicated the location was a portable device carried by or on the person. Nearly two thirds of the intercepts included text messages in addition to phone calls, while 16 involved either an app or social media, and six included a microphone or other recording/eavesdropping device.

There were 135,136 total communications intercepted, including 22,299 (17 percent) of an incriminating nature. For comparison, in Calendar Year 2018, 279,601 communications were intercepted of which 47,244 (17 percent) were incriminating. The Calendar Year 2019 surveillances resulted in the interception of the communications of 617 individuals. While results from many investigations are still pending, and results of several investigations were unknown or unreported, thus far there have been a total of 113 arrests and 21 persons convicted. Overall, \$1,012,061 was reportedly spent on electronic surveillance, personnel, and resource costs during Calendar Year 2019. This does not include unknown or unreported costs. Comparatively,

\$1,922,671 was expended in Calendar Year 2018 and \$986,367 in Calendar Year 2017. In 2019, Baltimore City reportedly expended the greatest amount of money on a single investigation, \$819,900, followed by Washington County with \$173,436 expended on a single investigation. The only other investigation with costs reported was \$18,725 in Allegany County.

A detailed breakdown of each 2019 request is attached. Corresponding numbers are used to relate reports submitted by prosecuting officials to those submitted by judges.

WIRETAPPING AND ELECTRONIC SURVEILLANCE PURSUANT TO SECTION 10-409(c) OF THE COURTS ARTICLE									
JANUARY 1 - DECEMBER 31, 2019									
REPORTS BY JUDGES									
Reporting Number	Court	Official Authorizing Application	Offense Specified	Type of Intercept	Location	Date of Application	Original Order (Days)	Number of Extensions	Total Length (Days)
Allegany County									
1	Circuit Court	State's Attorney	Conspiracy; Drug Kingpin CR § 5-613	Cellular Phone; Text Messaging	Portable Device - Carried by/on Individual	04/03/2019	30	0	30
2	Circuit Court	State's Attorney	Conspiracy; Drug Kingpin CR § 5-613	Cellular Phone; Text Messaging	Portable Device - Carried by/on Individual	04/16/2019	30	0	30

REPORTS BY JUDGES									
Reporting Number	Court	Official Authorizing Application	Offense Specified	Type of Intercept	Location	Date of Application	Original Order (Days)	Number of Extensions	Total Length (Days)
Baltimore City									
1	Circuit Court	State's Attorney	Narcotics	Cellular Phone; Text Messaging	Portable Device - Carried by/on Individual	10/19/2018	30	5	180
2	Circuit Court	State's Attorney	Conspiracy; Distribute CDS	Cellular Phone; Text Messaging; App	Portable Device - Carried by/on Individual	06/04/2019	30	1	60
3	Circuit Court	State's Attorney	Conspiracy; Distribute CDS	Cellular Phone; Text Messaging; App	Portable Device - Carried by/on Individual	07/01/2020	30	0	30
4	Circuit Court	State's Attorney	Conspiracy; Distribute CDS	Cellular Phone; Text Messaging; App	Portable Device - Carried by/on Individual	07/01/2020	30	1	60
5	Circuit Court	State's Attorney	Conspiracy; Distribute CDS	Cellular Phone; Text Messaging; App	Portable Device - Carried by/on Individual	07/29/2019	30	2	90
6	Circuit Court	State's Attorney	Conspiracy; Distribute CDS	Cellular Phone; Text Messaging; App	Portable Device - Carried by/on Individual	07/29/2019	30	0	30
7	Circuit Court	State's Attorney	Conspiracy; Distribute CDS	Cellular Phone; Text Messaging; App	Portable Device - Carried by/on Individual	10/17/2019	30	0	30
8	Circuit Court	State's Attorney	Conspiracy; Distribute CDS	Cellular Phone; Text Messaging; App	Portable Device - Carried by/on Individual	09/20/2019	30	1	60
9	Circuit Court	State's Attorney	Conspiracy; Distribute CDS	Cellular Phone; Text Messaging; App	Portable Device - Carried by/on Individual	09/20/2019	30	0	30
10	Circuit Court	State's Attorney	Conspiracy; Kidnap	Cellular Phone; Text Messaging; App	Portable Device - Carried by/on Individual	08/05/2019	30	1	60

REPORTS BY JUDGES									
Reporting Number	Court	Official Authorizing Application	Offense Specified	Type of Intercept	Location	Date of Application	Original Order (Days)	Number of Extensions	Total Length (Days)
Baltimore County									
1	Circuit Court	State's Attorney	Narcotics	Cellular Phone	Portable Device - Carried by/on Individual	11/04/2019	30	1	60
2	Circuit Court	State's Attorney	Narcotics	Cellular Phone	Portable Device - Carried by/on Individual	11/04/2019	30	0	30
3	Circuit Court	State's Attorney	Narcotics	Cellular Phone	Portable Device - Carried by/on Individual	11/04/2019	30	1	60
4	Circuit Court	State's Attorney	Narcotics	Cellular Phone	Portable Device - Carried by/on Individual	12/02/2020	30	0	30
5	Circuit Court	State's Attorney	Narcotics	Cellular Phone	Portable Device - Carried by/on Individual	12/02/2020	30	0	30
6	Circuit Court	State's Attorney	Narcotics	Cellular Phone	Portable Device - Carried by/on Individual	11/04/2019	30	0	30
7	Circuit Court	State's Attorney	Narcotics	Cellular Phone	Portable Device - Carried by/on Individual	12/02/2020	30	0	30

REPORTS BY JUDGES									
Reporting Number	Court	Official Authorizing Application	Offense Specified	Type of Intercept	Location	Date of Application	Original Order (Days)	Number of Extensions	Total Length (Days)
Baltimore County (continued)									
8	Circuit Court	State's Attorney	Narcotics	Cellular Phone	Portable Device - Carried by/on Individual	02/28/2019	30	0	30
9	Circuit Court	State's Attorney	Narcotics	Cellular Phone	Portable Device - Carried by/on Individual	02/28/2019	30	0	0
10	Circuit Court	State's Attorney	Narcotics	Cellular Phone	Portable Device - Carried by/on Individual	02/28/2019	30	0	0
11	Circuit Court	State's Attorney	Narcotics	Cellular Phone	Portable Device - Carried by/on Individual	02/28/2019	30	0	0
12	Circuit Court	State's Attorney	Narcotics	Cellular Phone	Portable Device - Carried by/on Individual	02/28/2019	30	0	0
13	Circuit Court	State's Attorney	Narcotics	Cellular Phone	Portable Device - Carried by/on Individual	02/28/2019	30	0	0
14	Circuit Court	State's Attorney	Narcotics	Cellular Phone	Portable Device - Carried by/on Individual	02/28/2019	30	0	0

REPORTS BY JUDGES									
Reporting Number	Court	Official Authorizing Application	Offense Specified	Type of Intercept	Location	Date of Application	Original Order (Days)	Number of Extensions	Total Length (Days)
Dorchester County									
1	Circuit Court	State's Attorney	Drug Trafficking	Cellular Phone; Microphone/ Eavesdrop; Text Messaging; App	Portable Device - Carried by/on Individual	12/18/2018	30	1	60
2	Circuit Court	State's Attorney	Drug Trafficking	Facebook; Electronic; Computer; App	Portable Device - Carried by/on Individual	12/07/2018	30	2	90
3	Circuit Court	State's Attorney	Drug Trafficking	Cellular Phone; Microphone/ Eavesdrop; Text Messaging; App; Social Media	Portable Device - Carried by/on Individual	12/07/2018	30	2	90
4	Circuit Court	State's Attorney	Drug Trafficking	Cellular Phone; Microphone/ Eavesdrop; Text Messaging; App	Portable Device - Carried by/on Individual	12/21/2018	30	0	30
5	Circuit Court	State's Attorney	Drug Trafficking	Cellular Phone; Microphone/ Eavesdrop; Text Messaging; App	Portable Device - Carried by/on Individual	01/17/2019	30	2	60
6	Circuit Court	State's Attorney	Drug Trafficking	Cellular Phone; Microphone/ Eavesdrop; Text Messaging; App	Portable Device - Carried by/on Individual	02/01/2019	30	0	30
7	Circuit Court	State's Attorney	Drug Trafficking	Cellular Phone; Microphone/ Eavesdrop; Text Messaging; App	Portable Device - Carried by/on Individual	02/01/2019	30	0	30

REPORTS BY JUDGES									
Reporting Number	Court	Official Authorizing Application	Offense Specified	Type of Intercept	Location	Date of Application	Original Order (Days)	Number of Extensions	Total Length (Days)
Washington County									
1	Circuit Court	State's Attorney	Drugs - Illegal	Cellular Phone; Text Messaging	Portable Device - Carried by/on Individual	06/06/2019	19	0	19
2	Circuit Court	State's Attorney	Drugs - Illegal	Cellular Phone; Text Messaging	Portable Device - Carried by/on Individual	06/13/2019	19	0	19
3	Circuit Court	State's Attorney	Drugs - Illegal	Cellular Phone; Text Messaging	Portable Device - Carried by/on Individual	06/20/2019	20	0	20
4	Circuit Court	State's Attorney	Drugs - Illegal	Cellular Phone; Text Messaging	Portable Device - Carried by/on Individual	06/20/2019	11	0	11
5	Circuit Court	State's Attorney	Drugs - Illegal	Cellular Phone; Text Messaging	Portable Device - Carried by/on Individual	06/28/2019	22	0	22
6	Circuit Court	State's Attorney	Drugs - Illegal	Cellular Phone; Text Messaging	Portable Device - Carried by/on Individual	06/28/2019	29	1	47
7	Circuit Court	State's Attorney	Drugs - Illegal	Cellular Phone; Text Messaging	Portable Device - Carried by/on Individual	08/09/2019	9	0	9
8	Circuit Court	State's Attorney	Drugs - Illegal	Cellular Phone; Text Messaging	Portable Device - Carried by/on Individual	08/14/2019	30	0	30
9	Circuit Court	State's Attorney	Drugs - Illegal	Cellular Phone; Text Messaging	Portable Device - Carried by/on Individual	08/20/2019	29	0	29
Wicomico County									
1	Circuit Court	State's Attorney	CDS-Kingpin; CR § 5-613	Cellular Phone	Portable Device - Carried by/on Individual	03/28/2019	30	2	90

WIRETAPPING AND ELECTRONIC SURVEILLANCE PURSUANT TO SECTION 10-409(c) OF THE COURTS ARTICLE											
JANUARY 1 - DECEMBER 31, 2019											
REPORTS BY PROSECUTING OFFICERS											
			Number of			Costs		Number of			
Reporting Number	Number of Days in Operation	Average Number of Intercepts Per Day	Intercepts	Conversations of Individuals Intercepted	Incriminating Intercepts	Total Cost(\$)/ Non-Personnel Cost(\$)		Persons Arrested	Trials	Motions to Suppress Intercepts	Persons Convicted
Allegany County											
1	30	Unknown	Unknown	15	Unknown	\$18,725	\$3,500	15	0	0	6
2	30										
	60	Unknown	Unknown	15	Unknown	\$18,725	\$3,500	15	0	0	6

REPORTS BY PROSECUTING OFFICERS											
			Number of			Costs		Number of			
Reporting Number	Number of Days in Operation	Average Number of Intercepts Per Day	Intercepts	Conversations of Individuals Intercepted	Incriminating Intercepts	Total Cost(\$)/ Non-Personnel Cost(\$)		Persons Arrested	Trials	Motions to Suppress Intercepts	Persons Convicted
Baltimore City											
1	180	212.1	38,185	Unknown	Unknown	\$819,900	Not reported	2	0	0	0
2	39	158.2	6,171	Unknown	468	Unknown	Unknown	15	0	0	0
3	12	4.6	55		7						
4	58	Unknown	Unknown		790						
5	86	103.0	8,862		1,786						
6	30	0.6	18		0						
7	30	1.6	47		1						
8	60	17.2	1,030		205						
9	30	8.6	259		63						
10	56	160.5	8,988		1,317	Not reported	Not reported				
	581	109.5	63,615	Unknown	4,637	\$819,900	Unknown	17	0	0	0

REPORTS BY PROSECUTING OFFICERS											
			Number of			Costs		Number of			
Reporting Number	Number of Days in Operation	Average Number of Intercepts Per Day	Intercepts	Conversations of Individuals Intercepted	Incriminating Intercepts	Total Cost(\$)/ Non-Personnel Cost(\$)		Persons Arrested	Trials	Motions to Suppress Intercepts	Persons Convicted
Baltimore County											
1	41	25.3	1,037	67	681	Unknown	Unknown	14	0	14	0
2	28	26.0	727	72	173						
3	37	72.3	2,674	124	2,450						
4	9	3.0	27	14	1						
5	9	25.6	230	20	195						
6	Never Installed	N/A	N/A	N/A	N/A						
7	Never Installed	N/A	N/A	N/A	N/A						

REPORTS BY PROSECUTING OFFICERS											
			Number of			Costs		Number of			
Reporting Number	Number of Days in Operation	Average Number of Intercepts Per Day	Intercepts	Conversations of Individuals Intercepted	Incriminating Intercepts	Total Cost(\$)/ Non-Personnel Cost(\$)		Persons Arrested	Trials	Motions to Suppress Intercepts	Persons Convicted
Baltimore County (continued)											
8	30	222.5	6,674	260	662	Unknown	Unknown	14	0	14	0
9											
10											
11											
12											
13											
14											
	154	73.8	11,369	557	4,162	Unknown	Unknown	28	0	28	0

REPORTS BY PROSECUTING OFFICERS											
			Number of			Costs		Number of			
Reporting Number	Number of Days in Operation	Average Number of Intercepts Per Day	Intercepts	Conversations of Individuals Intercepted	Incriminating Intercepts	Total Cost(\$)/ Non-Personnel Cost(\$)		Persons Arrested	Trials	Motions to Suppress Intercepts	Persons Convicted
Dorchester County											
1	60	92.3	5,538	Unknown	Unknown	Unknown	Unknown	14	10	1	10
2	75	106.4	7,981		203						
3	75	157.9	11,840		Unknown						
4	1	29.0	29		2						
5	37	38.4	1,419		292						
6	23	105.8	2,434		448						
7	23	6.1	141		26						
	294	99.9	29,382	Unknown	971	Unknown	Unknown	14	10	1	10

REPORTS BY PROSECUTING OFFICERS											
			Number of			Costs		Number of			
Reporting Number	Number of Days in Operation	Average Number of Intercepts Per Day	Intercepts	Conversations of Individuals Intercepted	Incriminating Intercepts	Total Cost(\$)/ Non-Personnel Cost(\$)		Persons Arrested	Trials	Motions to Suppress Intercepts	Persons Convicted
Washington County											
1	19	67.3	1,279	Unknown	273	\$173,436	\$14,861	19	0	18	1
2	19	359.6	6,833	Unknown	1,136						
3	20	479.4	9,588	Unknown	3,083						
4	11	51.8	570	Unknown	88						
5	22	37.8	832	Unknown	40						
6	47	122.2	5,744	Unknown	2,419						
7	9	16.3	147	Unknown	28						
8	30	171.0	5,130	Unknown	3,698						
9	29	22.0	638	Unknown	115						
	206	149.3	30,761	Unknown	10,880	\$173,436	\$14,861	19	0	18	1
Wicomico County											
1	90	0.1	9	45	1,649	Unknown	Unknown	20	4	0	4
	90	0.1	9	45	1,649	Unknown	Unknown	20	4	0	4
Total			135,136	617	22,299	\$1,012,061	\$18,361	113	14	47	21

Statewide Summary of Wiretapping and Electronic Surveillance for January 1 - December 31, 2019

Offense	Number	%
Narcotics	15	35%
Drugs - Illegal	9	21%
Conspiracy - Distribute CDS	8	19%
Drug Trafficking	7	16%
Conspiracy - Drug Kingpin	2	5%
CDS Kingpin	1	2%
Conspiracy - Kidnap	1	2%
Total	43	100%

(Offenses listed in table as they appear in reports.)

Location	Number	%
Portable Device - Carried by/on Individual	43	100%
Social Media Address	0	0%
Total	43	100%

(Some applications listed more than 1 type of location.)

Number of Arrests	113
Number of Persons Convicted	21

Intercept Information	Number
Intercepts	135,136
Incriminating Intercepts	22,299
Communications of Individuals Intercepted	617

Type of Intercept	Number	%
Cellular Phone	42	98%
Text Messages	27	63%
App or Social Media	16	37%
Microphone / Eavesdrop	6	14%
Computer	1	2%
Total	43	100%

(Many applications listed more than 1 type of intercept.)