



NEWS RELEASE

Administrative Office of the U.S. Courts

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Total Wiretap Applications Drop in 2002; Fewer States Report Wiretap Activity

Federal and state courts authorized a total of 1,358 wiretap applications, down 9 percent from the 1,491 applications in 2001. The number of applications for orders by federal authorities authorized by federal judges rose 2 percent to 497, while the number of applications reported by state prosecuting officials and approved by state judges dropped 14 percent to 861 in 2002. One state application was denied. The federal government, the District of Columbia, the Virgin Islands and 44 states currently have laws authorizing courts to issue orders permitting wire, oral, or electronic surveillance.

These and other statistics are in the *2002 Wiretap Report, A Report of the Director of the Administrative Office of the U.S. Courts on Applications Orders Authorizing or Approving the Interception of Wire, Oral, or Electronic Communications*. A summary report on authorized intercepts is attached. The complete *2002 Wiretap Report* and reports from previous years are available on the Judiciary's website at www.uscourts.gov/wiretap.html.

Ninety-six percent of all authorizations approved by state judges were for wiretap applications in seven states: New York (404 applications), California (143 applications), New Jersey (81 applications), Pennsylvania (79 applications), Maryland (54 applications), Florida (37 applications), and Illinois (25 applications). Nineteen states, down from 24 in 2001, reported wiretap activity last year.

Phone wire communication was the most common method of surveillance, which includes landline, cellular, cordless and mobile telephones, and these wiretaps accounted for 88 percent of the intercepts installed in 2002. The most common location specified in wiretap applications in 2002, was for "portable devices carried by/on individual," such as portable digital pagers and cellular telephones. A total of 77 percent (1,046 wiretaps) of all intercepts authorized were for portable devices.

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State and local jurisdictions reported that encryption was encountered in 16 wiretaps terminated in 2002 and in 18 wiretaps terminated in calendar year 2001 or earlier. However, encryption did not prevent law enforcement officials from obtaining the plain text of the intercepted communications. No federal wiretap reports indicated encryption was encountered.

The longest federal intercept occurred in the District of Nevada, where an original 30-day order was extended 11 times to complete a 360-day wiretap used in a racketeering investigation. The longest state wiretap terminated in 2002 was in a narcotics investigation conducted by the New York State Organized Crime Task Force, which was in operation 830 days.

Nationwide, an average of 403 intercepts per installed wiretap produced incriminating evidence. Wiretaps were most frequently authorized to investigate violations of drug and gambling laws, with racketeering as the third most frequently noted offense category cited on wiretap orders. Homicide/assault was the fourth most reported offense. Of the wiretaps authorized in 2002, 77 percent (1,052 wiretaps) cited drug offenses as the most serious offense under investigation.

Federal intercepts to conduct drug investigations were most common in the Southern District of New York (45 applications), the Northern District of Illinois (35 applications), and the Central District of California (30 applications). On the state level, the New York City Special Narcotics Bureau obtained authorizations for 163 drug-related intercepts, which accounted for 25 percent of all drug-related intercepts reported by state or local jurisdictions in 2002.

Each federal and state judge is required to file a written report with the Director of the Administrative Office of the U.S. Courts (AO) on each application for an order authorizing the interception of a wire, oral, or electronic communication. Reports are filed after the expiration of the court order and any extensions. Prosecuting officials who applied for interception orders are required to submit reports to the AO on all orders that were terminated during the previous calendar year. No report to the AO is required when an order is issued with the consent of one of the principal parties to the communication, or for the use of a pen register, unless the pen register is used in conjunction with any wiretap devices whose use must be reported. The report does not include interceptions regulated by the Foreign Intelligence Surveillance Act of 1978.

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Table 7
Authorized Intercepts Granted Pursuant to
18 U.S.C. 2519 as Reported in Wiretap Reports
for Calendar Years 1992 - 2002

Wiretap Report Date	1992	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002
Intercept applications requested	919	976	1,154	1,058	1,150	1,186	1,331	1,350	1,190	1,491	1,359
Intercept applications authorized	919	976	1,154	1,058	1,149	1,186	1,329	1,350	1,190	1,491	1,358
Federal	340	450	554	532	581	569	566	601	479	486	497
State	579	526	600	526	568	617	763	749	711	1,005	861
Avg. days of original authorization	28	28	29	29	28	28	28	27	28	27	29
Number of extensions	646	825	861	834	887	1,028	1,164	1,367	926	1,008	889
Average length of extensions (in days)	30	29	29	29	28	28	27	29	28	29	29
Location of authorized intercepts*											
Personal Residence	441	410	451	428	434	382	436	341	244	206	154
Business	119	124	118	101	101	78	87	59	56	60	37
Portable device	-	-	-	-	-	-	-	-	719	1,007	1,046
Multiple locations	70	92	97	115	149	197	222	287	109	117	85
Not indicated or other*	289	350	488	414	465	529	584	663	62	101	36
Major offense specified:											
Arson, explosives, and weapons	-	-	-	4	-	3	3	8	5	5	-
Bribery	8	1	6	4	10	13	9	42	21	1	3
Extortion (includes usury and loan-sharking)	7	9	8	18	9	24	12	11	10	28	18
Gambling	66	96	86	95	114	98	93	60	49	82	82
Homicide and assault	35	28	19	30	41	31	55	62	72	52	58
Larceny and theft	16	13	18	12	7	22	19	9	15	47	8
Narcotics	634	679	876	732	821	870	955	978	894	1,167	1,052
Robbery and burglary	-	-	6	5	4	5	4	4	4	8	3
Racketeering	90	101	88	98	105	93	153	139	76	70	72
Other or unspecified	63	48	47	60	38	27	28	37	44	31	62
Intercept applications installed**	846	938	1,100	1,024	1,035	1,094	1,245	1,277	1,139	1,405	1,273
Federal	332	444	549	527	574	563	562	595	472	481	490
State	514	494	551	497	461	531	683	682	667	924	783
For intercepts installed:											
Total days in operation	32,430	39,819	44,500	43,179	43,635	48,871	53,411	63,243	47,729	53,574	50,025
Avg. number of persons intercepted	117	100	84	140	192	197	190	195	196	86	92
Average number of intercepted communications***	1,861	1,801	2,139	2,028	1,969	2,081	1,858	1,921	1,769	1,565	1,708
Average number of incriminating intercepted communications***	347	364	373	459	422	418	350	390	402	333	403
Authorizations where costs reported	829	912	1,042	983	1,007	1,029	1,184	1,232	1,080	1,327	1,193
Average cost of intercepts for which costs reported (in dollars)	46,492	57,256	49,478	56,454	61,436	61,176	57,669	57,511	54,829	48,198	54,586
Intercept applications authorized but reported after publication****	48	206	46	82	48	90	118	196	196	166	-
Total authorized by year (reported through December 2002)	967	1,182	1,200	1,140	1,197	1,276	1,447	1,546	1,386	1,657	1,358

* Starting in 2000, location categories were revised to improve reporting and reduce the number of instances "other" location was reported.

** Installed intercepts include only those intercepts for which reports were received from prosecuting officials.

*** As of 1998, the average excludes those reports in which the number of persons intercepted, the number of intercepts, or the number of incriminating intercepts was not reported or could not be determined.

**** Some wiretaps terminated in a given year are not reported until a subsequent year because they are part of ongoing investigations.