



NEWS RELEASE

Administrative Office of the U.S. Courts

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Wiretap Authorizations Increase in 2003

A total of 1,442 interceptions of wire, oral or electronic communications were authorized by federal and state courts in 2003, an increase of 6 percent over 2002. State prosecuting officials reported 864 applications for interceptions, three more than were authorized in 2002. Federal authorities requested 578 intercept applications, a 16 percent increase over 2002. No requested applications were denied in 2003. As of December 31, 2003, wiretaps terminated in 2003 resulted in the conviction of 843 persons.

The Administrative Office of the United States Courts is required to report to Congress annually on the number and nature of federal and state applications for orders authorizing or approving the interception of wire, oral or electronic communications. Specific information on those intercepts is contained in *The 2003 Wiretap Report*, which along with previous reports, is available on-line at www.uscourts.gov/library/wiretap.html. The 2003 report covers intercepts concluded between January 1, 2003 and December 31, 2003.

Wiretap applications in New York (328 applications), California (188 applications), New Jersey (117 applications), Pennsylvania (52 applications), Florida (45 applications), Maryland (25 applications), and Illinois (23 applications) accounted for 90 percent of all applications approved by state judges. Forty-four states, plus the District of Columbia and the Virgin Islands have statutes authorizing intercepts. Twenty-three states reported wiretap activity in 2003, up from 19 states in 2002, and reports were received from 102 separate state jurisdictions in 2003, 22 more than the number of state jurisdictions reporting wiretaps in 2002.

The most common method of surveillance reported was "phone wire communications," which includes all telephones (landline, cellular, cordless, and mobile). The 1,271 telephone wiretaps accounted for 93 percent of intercepts installed in 2003. Of those, 1,154 wiretaps involved cellular/mobile telephones. The next most common method reported was the electronic wiretap, which includes digital display pagers, voice pagers, fax machines, and transmissions via computer, such as electronic mail. Electronic wiretaps accounted for 4 percent (49 cases) of intercepts installed in 2003.

The most common location specified in 2003 wiretap applications was "portable device, carried by/on individual." This category includes such devices as portable digital pagers and cellular telephones. In 2003, 1,165 wiretaps or 81 percent of all intercepts were authorized for portable devices. The next most common specific location was a personal residence, for which a total of 118 wiretaps or 8 percent of all intercept devices were authorized.

(MORE)

The two most prevalent types of offenses investigated through intercepts were violations of drug laws and racketeering laws. Seventy-seven percent of all applications for intercepts (1,104 wiretaps) in 2003 cited drug offenses as the most serious offense under investigation. As of December 31, 2003, a total of 3,674 persons had been arrested based on interceptions of wire, oral, or electronic communications. Wiretaps terminated in 2003 resulted in the conviction of 843 persons as of December 31, 2003.

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 1993 - 2003

Wiretap Report Date	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003
Intercept applications requested	976	1,154	1,058	1,150	1,186	1,331	1,350	1,190	1,491	1,359	1,442
Intercept applications authorized	976	1,154	1,058	1,149	1,186	1,329	1,350	1,190	1,491	1,358	1,442
Federal	450	554	532	581	569	566	601	479	486	497	578
State	526	600	526	568	617	763	749	711	1,005	861	864
Avg. days of original authorization	28	29	29	28	28	28	27	28	27	29	29
Number of extensions	825	861	834	887	1,028	1,164	1,367	926	1,008	889	1,145
Average length of extensions (in days)	29	29	29	28	28	27	29	28	29	29	29
Location of authorized intercepts*											
Personal residence	410	451	428	434	382	436	341	244	206	154	118
Business	124	118	101	101	78	87	59	56	60	37	35
Portable device	-	-	-	-	-	-	-	719	1,007	1,046	1,165
Multiple locations	92	97	115	149	197	222	287	109	117	85	95
Not indicated or other*	350	488	414	465	529	584	663	62	101	36	29
Major offense specified:											
Arson, explosives, and weapons	-	-	4	-	3	3	8	5	5	-	5
Bribery	1	6	4	10	13	9	42	21	1	3	9
Extortion (includes usury and loansharking)	9	8	18	9	24	12	11	10	28	18	6
Gambling	96	86	95	114	98	93	60	49	82	82	49
Homicide and assault	28	19	30	41	31	55	62	72	52	58	80
Larceny and theft	13	18	12	7	22	19	9	15	47	8	48
Narcotics	679	876	732	821	870	955	978	894	1,167	1,052	1,104
Robbery and burglary	-	6	5	4	5	4	4	4	8	3	3
Racketeering	101	88	98	105	93	153	139	76	70	72	96
Other or unspecified	49	47	60	38	27	28	37	44	31	62	42
Intercept applications installed**	938	1,100	1,024	1,035	1,094	1,245	1,277	1,139	1,405	1,273	1,367
Federal	444	549	527	574	563	562	595	472	481	490	576
State	494	551	497	461	531	683	682	667	924	783	791
For intercepts installed:											
Total days in operation	39,819	44,500	43,179	43,635	48,871	53,411	63,243	47,729	53,574	50,025	60,198
Avg. number of persons intercepted	100	84	140	192	197	190	195	196	86	92	116
Average number of intercepted communications***	1,801	2,139	2,028	1,969	2,081	1,858	1,921	1,769	1,565	1,708	3,004
Average number of incriminating intercepted communications***	364	373	459	422	418	350	390	402	333	403	993
Authorizations where costs reported	912	1,042	983	1,007	1,029	1,184	1,232	1,080	1,327	1,193	1,236
Average cost of intercepts for which costs reported	57,256	49,478	56,454	61,436	61,176	57,669	57,511	54,829	48,198	54,586	62,164
Intercept applications authorized but reported after publication****	206	46	82	48	90	118	196	196	200	161	-
Total authorized by year (reported through Dec 2003)	1,182	1,200	1,140	1,197	1,276	1,447	1,546	1,386	1,691	1,519	1,442

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