



THE COMMONWEALTH OF MASSACHUSETTS
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January 13, 2006

William S. Welch
Clerk of the Senate
State House, Room 335
Boston, MA 02133

**RE: Annual Report of Wiretap Interceptions
To the General Court Pursuant to G.L. c. 272, § 99R**

Dear Mr. Welch:

Pursuant to the requirements set forth in General Laws Chapter 272, § 99R, I hereby submit this report to the General Court on behalf of the Attorney General's Office for the calendar year of 2005.

The number of applications made for electronic surveillance warrant during 2005 totaled twenty-two (22). The names of the applicants on each of these applications were Assistant Attorneys General Eileen O'Brien and/or Robert Fisher and/or Hillary Meltz. The Massachusetts Superior Court issued twenty-two (22) wiretap warrants. The effective dates for the warrants including renewals were:

01/01/05-01/05/05	11/08/05-12/02/05
01/01/05-01/12/05	11/15/05-11/30/05
01/06/05-01/20/05	11/18/05-12/31/05
01/12/05-01/26/05	12/05/05-12/31/05
01/21/05-02/04/05	11/30/05-12/31/05
	12/08/05-12/31/05

The number of designated offenses pertaining to these wiretap applications totaled three (3). These designated offenses are defined in G.L. c. 272, §99(B)(7) as "the possession or sale of any narcotic or harmful drug;" "illegal gaming, in violation of Massachusetts General Laws, Chapter 271 § 17;" "illegal acts of extortion." There were fifteen (15) renewals for warrants pertaining to these designated offenses in 2005. The number of interceptions made during the 2005 calendar year in connection with the above-designated offenses totaled two thousand, eight hundred ninety-two (2,892): seven hundred and eighty-seven (787) of those pertained exclusively to narcotics and the remaining pertained to one or more of the above designated offenses primarily gaming.



There were two (2) criminal trials in Suffolk and Hampden Superior Courts in 2005 in which wiretap interception evidence or evidence derived therefrom was introduced in 2005. All three (3) defendants were convicted: two of trafficking in cocaine; and, one for the unlawful possession of a firearm and of being an Armed Career Criminal.

Finally, eighteen (18) individuals pleaded guilty in the courts of the Commonwealth in the year 2005 as a direct result of wiretap warrants which were issued from 2000 through 2005. The offenses to which those defendants pleaded guilty included: the unlawful possession of firearms; being Armed Career Criminals; trafficking in cocaine, heroin and Oxycodone; and the distribution of marijuana. There have been two (2) cases disposed via nolle prosequi; zero (0) acquittals and zero (0) motions to suppress wiretap evidence allowed in cases associated with wiretap warrants issued from 2000 through 2005. Three (3) motions to suppress wiretap evidence were denied in 2005. There are no motions to suppress wiretap evidence currently pending.

Respectfully Submitted,



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cc: Kurt Schwartz
Michele Adelman ✓
Marcy Jackson
File