



## COMMONWEALTH of VIRGINIA

Office of the Attorney General

Robert F. McDonnell Attorney General

December 17, 2007

900 East Main Street Richmond, Virginia 23219 804-786-2071 FAX 804-786-1991 Virginia Relay Services 800-828-1120

The Honorable Bruce F. Jamerson, Clerk House of Delegates P.O. Box 406 Richmond, Virginia 23218

RE: Virginia Code § 19.2-70

Dear Mr. Jamerson:

Enclosed please find a report of wiretapping activity for 2007 under Virginia Code § 19.2-70. If you need any further information, please contact me at 804-786-9531.

Thank you for your cooperation and assistance in this matter.

Very truly yours,

J. Robert Bryden, II Assistant Attorney General

Criminal Litigation Section

**Enclosures** 

Form 2" * * ('Rev. 11/92										Application Numb (Optional)	er	Dock	et No.		
REPORT OF APPLICATION AND/OR ORDER AUTHORIZING INTERCEPTION OF COMMUNICA							W-07-1								
Report Prepared By								Telephone No. (Area Code)							
J. Robert Bryden, II							(804) 786-9531 DR DENYING THE INTERCEPT								
Name of Judge Mailing Address															
County & Court		JI.	· · · · · · · · · · · · · · · · · · ·	<del></del>			P.O. Box 1217, 601 Crawford Street City or Town State Zip Code								
Circuit Cou	rt for	the City of F	Portsmou		UDCE OFFI	CTAL	Portsmouth VA 23705-1217 L MAKING APPLICATION								
Name				ZA. 50	OKCE—OFFI	CIAL	Title							Area Code)	
William C. Mims County & Agency Name								eputy <i>A</i> Address	tto	rney Genera	<u> </u>	(804	78	6-2071	
Office of the Attorney General								اain St.,	Ric	hmond, VA	23219				
Name	2B. S	OURCE—PRO	SECUTIO	ON OFF	ICIAL AUTHO	ORIZI	ZING APPLICATION—SHOW "SAME" IF SAME AS 2A  Title: Portsmouth Telephone No. (Area Code)								
Earle C. Mo	bley						Commo	nwealth'		10		393-8		code)	
County & Agen			066		ne No. (Area Co	ode)	Mailing Add	dress						Zip Code	
Portsmout	1 Com	m. Attorney	Опісе	/5/-3	93-8581		430 Cra	awrora :	stre	et, Portsmo	utn, v	'irginia	1 23	/04	
3. COUNT					SERIOUS)		☑ Ordinary	Specification	Orde	5. TYPE OF O	RDER				
(400.00		Conspi	acy to L	JISTIDU	te Cocaine		☐ Relaxed S	Specification		r. (If this box is chec	ked, also	check "Rov	ring" un	der Item 8.)	
ORDER OR		NUMBER	DATE	OF	6. DURAT	CK ONE		CEPT				····		ATE ORDER	
EXTENSION	N .	OF DAYS	APPLIC	ATION	DENIED	G	RANTED	GRA		NTED WITH THESE (	CHANGES	ē\$		DENIED R GRANTED	
ORIGINAL REC	<del></del>	30	11/9/0	)6		-	٧			<del></del>			11	./10/06	
	1 <sup>st</sup>					-									
Extensions	2 <sup>nd</sup>														
T.1.15	3rd														
Total Days Auth- orized	No. of	30													
Extens	sions	0 F INTERCEPT		Ι		<u></u>	8. PL	ACF				Q TN	TALL	ATION	
☑ Phone Wireta				☐ Single	e Family Dwelling	-e.a. de			ned, t	ownhouse, rowhouse		☐ NEVER	INSTAL	LED (Skip	
☐ Microphone/E	Eavesdro			dupi	lex.					d private room or ap		☐ INSTAI	LED BU		
(Specify bel	low)			with	in a house, condo	ominium	m.  USED (Fill in Item 11 only)  ng house with common telephones, dormitory.								
☐ digital [		-		☐ Busin	ness (Specify Type iness, coffee shop	=)	-		-	.g. store, restaurant,	motel		LED AN		
				☐ Rovir	ng-authorized by r	relaxed :	d specification order. communications (cell phones) e.g.								
				traile	er, mobile home,	boat, au	utomobile, pa	y phone, mo		om, social club.					
10A. Termination Interception		10B. Number of		10C. Aver	Frequency of ercept (Per Day)	10D.	D. Number of Persons Use Communications Use Communications Use Communications Use Communications Intercommunications Intercommunications Use Communications Intercommunications Use Communications Use Comm								
тистериог		Actual 63			+ 10B		cations Were Intercepted			Intercepted				.c. coptou	
12/8/06 26					96	47 2509			95						
					his wiretap only.	11. C									
Check, A, B, or C B. Costs shown here are for this wiretap plus Docket Number(s)															
C. Costs for this wiretap are included in total shown on Docket Number															
D. Nature and Quantity of Personnel Used to install and monitor Personnel Cost (Round to nearest dollar \$77,185.09 \$77,185.09															
E. Nature and Other Resources (Cost of installation, supplies, etc.)							Personnel Cos	t	\$103,995	ı					
Pen registers, travel expenses, hotel/meals \$26,809.53 \$  12. RESULTS Check here if case is pending and no Results to report.															
12A. Number of Arrest Offenses							12B. Sp	12B. Specify Numbers of Motions Suppress							
Persons Arrested									Grante	ed De	nied	Pending			
1 (2006) Conspiracy to distribute cocaine								***	0		1	0			
Convicted	J115				Conviction	o Offens	ses				12D. N	lumber of	riidis CC	mpietea	
1 (2007	")	Conspirac	y to dist										1		
				1	3. COMMEN	TS AI	ND ASSES	SMENT							

Give arrassessment of the importance of the interceptions in obtaining convictions	. Use the back of the form if necessary. List the application number(s) of any related
wiretaps (if applicable). Do NOT include the names, addresses or phone numbers of	any individuals of places involved in the communication intercept.

This form reflects one of two wireless numbers that were intercepted pursuant to the same investigation. W-07-2 reflects the other wireless number pursuant to this investigation. Collectively, the two intercepts resulted in the arrest and subsequent conviction of two persons. Each form separately details the arrest offenses, conviction offenses and trial information for the two individuals.

Signature of <del>Authorizing Prosecutor</del>	RolfByat	Date of Report	107
	()		

Form 2 - (Rev. 11/92	AU	REPORT O			AND/OR OF				- 1	Application Num (Optional) W-07-2	iber		Docket	No.
Report Prepared By J. Robert Bryden, II							Telephone No. (Area Code)							
1. COURT AUTHORIZING OR I														
									. 60	1 Crawford	Stre	et		
County & Court		-					City or Tov	vn		S	tate		Zip C	
Circuit Court	t for	the City of F	ortsmou		IIDCE_OFET	CTAI	1	Portsmouth VA 23705-1217  MAKING APPLICATION					05-1217	
Name				ZA. 30	OKCL OIII	CIA	Title				-	•		o. (Area Code)
William C. Mims							Chief Deputy Attorney General (804) 786-2071							
County & Agency Name Office of the Attorney General							Mailing Address 900 E. Main St., Richmond, VA 23219							
	2B. S	OURCE-PRO	SECUTIO	ON OFF	ICIAL AUTH	ORIZ				IOW "SAME"	IF SA	ME A		
Name Earle C. Mobley							Title: Portsmouth Telephone No. (Area Code) Commonwealth's (757) 393-8581 Attorney							
County & Agency Portsmouth	•		Office		one No. (Area Co 93-8581	ode)	Mailing Add		Stre	et, Portsmo	outh,	Virg	inia	Zip Code 23704
3. COUNTY					SERIOUS)					5. TYPE OF C	RDER			
(Leave bla	nk)	Conspir	acy to D	Distribu	te Cocaine		☐ Relaxed			(If this box is che	cked, als	o check	k "Roving	" under Item 8.)
							OF INTER	CEPT						
ORDER OR EXTENSION		NUMBER OF DAYS	DATE APPLICA		DENIED	CK ON			GRAN	TED WITH THESE	CHANGE	S	DATE ORDER DENIED	
ORIGINAL REQU	JEST	30	11/9/0	16	DENTED	+	V							OR GRANTED 11/10/06
	1 <sup>st</sup>													, ,
Extensions	2 <sup>nd</sup>				,	+								
- Accidions						-								
Total Days Auth-	3rd					+-				<del></del>				
orized Total No	o of	30												
Extension	ons	0 INTERCEPT		Ι	<u></u>	<u> </u>	8. PL	ACE				0	TNCT	ALLATION
	PE UI	INTERCEPT		П с:	- F!'- D - !!'									
☑ Phone Wiretap       ☐ Single Family Dwelling-e.g. detached home, semi-detached, townhouse, rowhouse, duplex.       ☐ NEVER INSTALLED (Sk Items 10 through 12 duplex.         ☐ Electronic Communication (Specify below)       ☐ Apartment-e.g. garden style, low rise, high rise, self-contained private room or apartment within a house, condominium.       ☐ Wiltiple Swelling-e.g. boarding house with common telephones, dormitory.       ☐ INSTALLED BUT NOT USED (Fill in Item 11 only)         ☐ Business (Specify Type)								D BUT NOT ill in Item 11 D AND USED						
10A. Termination D Interception	ate of	10B. Number of Actual Use		10C. Aver	T. Frequency of ercept (Per Day) + 10B		Number of Persons Whose Communications Were Intercepted  10E. Number of Communications Intercepted			Communications	10F. Number of Incriminating Communications Intercepted			
12/8/06	12/8/06 26 See Form W- Se 07-1					e Form \	1	See	ee Form W-07-1 07-1					
						11. (	COST							
Check, A, B, or C    A. Costs shown here are for this wiretap only.  B. Costs shown here are for this wiretap plus Docket Number(s)														
D. Nation and O	ntitr of				ncluded in total sh	nown c	DOCKET Num	per		Domonasi C-	ct	Г	Tai	ol Cost
D. Nature and Quantity of Personnel Used to install and monitor  See Form W-07-1						See Form W- 07-1  Total Cost (Round to nearest See Form W- 1				nearest dollar)				
E. Nature and Other Resources (Cost of installation, supplies, etc.)  See Form W-07-1  See Form W- 07-1														
		12. R	ESULTS	□ c	heck here if	cas	e is pendir	g and no		ults to repor	t.	L		
12A. Number of Persons Arre	ested				Arrest C	Offense	es				12B. S	Suppr		s of Motions to  Pending
1 (2006) Conspiracy to distribute cocaine										0 1 0				
12C. No. of Person Convicted	ıs				Conviction	offer	nses				12D.	Numbe	er of Tria	ls Completed
1 (2007)		Conspiracy	to dist		more than				ck co	caine			1_	

Give an assessment of the importance of the interceptions in obtaining convictions. Use the back of the form if necessary. List the application number(s) of any relationships and the importance of the interceptions in obtaining convictions.	ted
wiretaps (if applicable). Do NOT include the names, addresses or phone numbers of any individuals of places involved in the communication intercept.	
Although the individual pursuant to this form was arrested on state charges, he was eventually convicted	

Although the individual pursuant to this form was arrested on state charges, he was eventually convicted of conspiracy to distribute more than fifty grams of crack cocaine in federal court. Pursuant to a disclosure order, evidence obtained from the state wiretap investigation was given to federal authorities and used for his conviction.

Signature of Authorizing Prosecutor		Date of Report
	1. Kel Handett	12/17/07