



COMMONWEALTH of VIRGINIA
Office of the Attorney General

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December 29, 2023

VIA EMAIL to reportdocs@dlas.virginia.gov

The Honorable Susan Clarke Schaar, Clerk
Senate of Virginia
P.O. Box 396
Richmond, Virginia 23218

The Honorable G. Paul Nardo, Clerk
House of Delegates of Virginia
P.O. Box 406
Richmond, Virginia 23218

Re: Virginia Code § 19.2-70

Dear Ms. Schaar and Mr. Nardo:

This letter is sent pursuant to Virginia Code § 19.2-70, regarding notification of intercept activity during 2023.

In 2023, law enforcement officials conducted an investigation into a conspiracy to distribute Schedule I and II controlled substances. As part of that investigation, a circuit court granted the Commonwealth's two applications, each requesting authorization to intercept wire and wireless telephone, text, and data communications for one cellular telephone. No application was denied. The two intercepts were carried out through a single continuing operation; the state cost associated with these applications was \$507,513.37.¹

¹ Local agencies incurred costs that are not included in this figure.

Based on information provided by the lead prosecutor in the relevant jurisdiction, one defendant was arrested on one count of possession with intent to distribute a Schedule I or II controlled substance as a result of information derived only from the first application.²

Based on information provided by the lead prosecutor in the relevant jurisdiction, twelve defendants have been arrested on various offenses as a result of information derived from both applications. One defendant has been convicted and sentenced on one count of conspiring to distribute a Schedule I or II controlled substance, four counts of distribution of a Schedule I or II controlled substance, and one count of possession of a Schedule I or II controlled substance with intent to distribute.

The other eleven defendants have been arrested on the following additional charges but have not yet been tried. Five have been arrested on a single count of conspiring to distribute a Schedule I or II controlled substances. A sixth has been arrested on one count of unlawfully participating in racketeering activity, two counts of a second offense of possession of a Schedule I or II controlled substance with the intent to distribute, two counts of unlawful possession of a firearm while in possession of a Schedule I or II controlled substance with the intent to distribute, and one count of unlawful possession of a firearm by a convicted felon. A seventh has been arrested on one count of conspiring to distribute a Schedule I or II controlled substance, four counts of distribution of a Schedule I or II controlled substance, two counts of money laundering, and one count of unlawfully participating in racketeering activity. An eighth has been arrested on three counts of conspiring to distribute a Schedule I or II controlled substance, one count of distributing five kilograms or more of a Schedule I or II controlled substance, one count of conspiring to transport one ounce or more of a Schedule I or II controlled substance into the Commonwealth, fourteen counts of money laundering, and one count of unlawfully participating in racketeering activity. A ninth has been arrested on three counts of conspiring to distribute a Schedule I or II controlled substance, five counts of money laundering, and one count of unlawfully participating in racketeering activity. A tenth has been arrested on one count of conspiring to distribute a Schedule I or II controlled substance, one count of conspiring to transport one ounce or more of a Schedule I or II controlled substance into the Commonwealth, one count of transporting one ounce or more of a Schedule I or II controlled substance into the Commonwealth, five counts of money laundering, and one count of unlawfully participating in racketeering activity. And an eleventh has been arrested on one count of conspiring to distribute a Schedule I or II controlled substance, two counts of a third offense of possession of a Schedule I or II controlled substance with the intent to distribute it, one count of unlawful possession of

² The same defendant was also arrested on additional counts based on information from both applications and is included in the listing of the twelve defendants so charged.

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ammunition for a firearm by a felon, and one count of unlawfully participating in racketeering activity.

Finally, based on information provided by the lead prosecutor in the relevant jurisdiction, two additional defendants have been arrested on various offenses as a result of information derived only from the second application. The first such defendant has been convicted on one count of conspiring to distribute a Schedule I or II controlled substance and one count of unlawfully participating in racketeering activity and is awaiting sentencing in 2024. The second such defendant has been arrested, but not yet tried, on one count of conspiring to distribute a Schedule I or II controlled substance, one count of conspiring to transport one ounce or more of a Schedule I or II controlled substance into the Commonwealth, one count of unlawfully participating in racketeering activity, and one count of money laundering.

In future reports, we will supplement this information to address the disposition of the pending charges.

Finally, no applications through this office to intercept wire or wireless telephone, text, or data communications were refused in 2023.

Thank you for your attention to this matter.

Sincerely,

A handwritten signature in blue ink, appearing to read "Matthew P. Dullaghan", with a stylized flourish extending to the right.

Matthew P. Dullaghan
Senior Assistant Attorney General