

***REPORT ON THE OPERATION OF  
THE NEW JERSEY WIRETAPPING AND  
ELECTRONIC SURVEILLANCE CONTROL ACT  
FOR THE YEAR 2011***



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The Honorable Steve Sweeney  
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The Honorable Sheila Oliver  
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Pursuant to *N.J.S.A. 2A:156A-23(e)*, the Chief Justice of the Supreme Court and the Attorney General of the State of New Jersey hereby submit reports on the operation of the "New Jersey Wiretapping and Electronic Surveillance Control Act" for the year 2011.

STUART RABNER  
Chief Justice

JEFFREY S. CHIESA  
Attorney General

Attachment

Date 12/10/12



2011 COURT-AUTHORIZED  
ELECTRONIC SURVEILLANCE

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ATTORNEY GENERAL'S REPORT  
ON THE OPERATION OF THE WIRETAP ACT

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## Court-Authorized Electronic Surveillance

2011

The New Jersey Wiretapping and Electronic Surveillance Control Act requires the Attorney General to report annually on the use of court-authorized intercepts. To accomplish this, the Act directs the Attorney General to collect and maintain records of all court-authorized intercepts, regardless of whether the intercept is carried out by the Attorney General's Office, a county prosecutor's office, or a local law enforcement agency.

Data reported pursuant to *N.J.S.A. 2A:156A-23* were compiled to report on the operation of the New Jersey Wiretapping Act. As required by statute, this report contains data concerning:

- (1) The number of applications made.
- (2) The number of orders issued.
- (3) The effective periods of such orders.
- (4) The number and duration of any renewals.
- (5) The crime in connection with electronic surveillance orders.
- (6) The name of the applicants.
- (7) Indictments resulting from each application.
- (8) The crime which each indictment charges.
- (9) The disposition of each indictment.

In addition to the detailed information provided for 2011 applications and orders, supplemental follow-up data is provided for electronic surveillance orders reported in previous calendar years.

## APPLICATIONS

In 2011, 193<sup>1</sup> applications for electronic surveillance orders were reported statewide pursuant to the Wiretap Act.<sup>2</sup> The applications made were authorized by prosecution officials as follows.

Attorney General Dow	57
Union County Prosecutor Romankow	25
Gloucester County Prosecutor Dalton	15
Ocean County Prosecutor Lynch-Ford	12
Passaic County Prosecutor Valdes	12
Bergen County Prosecutor Molinelli	11
Cumberland County Prosecutor Webb-McRae	10
Morris County Prosecutor Bianchi	8
Monmouth County Prosecutor Warshaw Jr	7
Essex County (Acting) Prosecutor Murray	6
Hudson County Prosecutor DeFazio	5
Attorney General Milgram	5
Cumberland County (Acting) Prosecutor Shapiro	4
Somerset County Prosecutor Soriano	4
Middlesex County Prosecutor Kaplan	3
Cape May County (Acting) Prosecutor Meyer	2

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<sup>1</sup>Originally 194 applications were authorized, however, it was determined that one Order applied for by the Hudson County Prosecutor's Office [MJGHUD0211] was improvidently granted. The Hudson County Prosecutor's Office has advised it is in the process of filing an application to withdraw this Order. Thus the total reported count of wiretaps is 193.

<sup>2</sup>The Federal and New Jersey AOC report orders in the year that they are filed. The State Attorney General reports orders in the year that the investigation is completed. For instance, the 5 wires attributed to Attorney General Milgram were authorized in the years 2007 through 2009, while the investigations were completed in 2011. These 5 wires were previously reported on the Federal Report in their respective years of authorization, but appear in the State Report for 2011 since that is the year the investigations were completed.

Atlantic County Prosecutor Housel	1
Atlantic County (Acting) Prosecutor Shill	1
Burlington County Prosecutor Bernardi	1
Attorney General (Acting) Dow	1
Camden County Prosecutor Faulk	1
Cape May County Prosecutor Taylor	1
Warren County Prosecutor Ferguson	1
<b>TOTAL <i>APPLICATIONS</i> FOR ELECTRONIC SURVEILLANCE ORDERS</b>	<b>193</b>

### ORDERS FOR ELECTRONIC SURVEILLANCE

In all, 193 court orders were entered granting court authorization for electronic surveillance in 2011.<sup>3</sup>

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<sup>3</sup> The United States Administrative Office of the Courts 2011 wiretap report ([www.uscourts.gov/Statistics/WiretapReports/WiretapReport2011.aspx](http://www.uscourts.gov/Statistics/WiretapReports/WiretapReport2011.aspx), Table B-1, pgs. 222-235) lists 198 electronic surveillance orders for New Jersey. The state report lists 193 electronic surveillance orders for New Jersey. Discrepancies between federal and state reports are described below.

- **Atlantic County.** Atlantic reports one order that was not reported by the US AOC: BEDATL0611 (10/21/11, Murder). The US AOC report erroneously lists MADATL0511 (AO#2011-1) as narcotics. The offense was kidnapping. In addition, this was a pre-recorded jail conversation so order length should be one day.
- **Burlington County.** The US AOC report erroneously lists REBBUR0111 (AO#2011-1) as having an extension. There was no extension; total length should be 10 days, not 15 days.
- **Camden County.** One of the orders reported on the US AOC report under Camden is from Gloucester: AO#2011-3 (SDNGLO0411, prosecutor should be Dalton). Two of the orders reported by the US AOC are actually State Attorney General wires. They have been reported twice, once under each area: Camden: AO#2011-1 (SDNCAM2310) is also under State Attorney General, AO#2011-4. AO#2011-2 (SDNCAM2510) is also reported as AO#2011-5 under the State Attorney General. AO#2011-4 lists the prosecutor as Mullen. It should be Faulk. AO#2011-5 is a duplicate of AO#2011-4.
- **Cape May County.** The US AOC lists one order. Cape May reported two additional orders: MADCPM0311 (2/18/11, CDS) and WLMCPM0311 (2/17/11, CDS). WLMCPM0311 is erroneously listed under Cumberland County,

(continued...)

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<sup>3</sup>(...continued)

AO#2011-3.

**Cumberland County.** Cumberland reported six additional orders not listed on the US AOC report: WLMCUM0511 (3/16/11, murder); WLMCUM0611 (3/16/11, murder); WLMCUM0711 (3/16/11, murder); WLMCUM0811 (3/21/11, murder); WLMCUM0911 (3/28/11, CDS); and WLMCUM1011 (4/5/11, CDS). AO#2011-3 is a Cape May County wire, WLMCPM0311. In addition, AO# 2011-2,7,8,9 should all be one day in length. They are prerecorded jail conversations.

**Essex County.** The US AOC report lists PJVSS0311 (AO#2011-3) as being 3 days in length. It is a stored jail communication and should be listed as one day. They also report PJVSS0511 (AO#2011-4) as 08/07/2011; it should be 11/17/2011. In addition it is a stored jail communication and should be reported as one day.

**Gloucester County.** The US AOC report lists SDNGLO0411 under Camden County (AO#2011-3). AO#2011-7 (SDNGLO0211) lists the judge as Marshall. It should be Natal. In addition, the prosecutor for each wire is listed as Colangelo. They should all be Prosecutor Dalton.

**Hudson County.** The federal report lists the wrong prosecutor for five wires. AO#2011-3,4,5,6 and 7 should list Defazio as the prosecutor. AO#2011-6 (MGCHUD0211) lists the judge as Callahan and the offense as narcotics. The judge should be Gallipoli. This order has a motion to suppress. AO#2011-7 (SAVHUD0311) is reported as 30 days authorized. It is a prerecorded jail wire and should be reported as one day. Four wires reported under Hudson belong under the State Attorney General: AO#2011-1 (KGCHUD3809), AO#2007-5 (KGCHUD4107), AO#2007-6 (KGCHUD7407) and AO#2007-7 (KGCHUD7607).

**Mercer County.** Mercer County reported no court authorized wires for 2011. The two wires reported in the US AOC report are reported twice, under Mercer and under the State Attorney General. They belong under the State Attorney General: PJJMER0111, AO#2011-1 under Mercer, AO# 2011-7 under State Attorney General and PJJMER0211, AO#2011-2 under Mercer, AO#2011-11 under State Attorney General. In addition, under Mercer the offense is listed as Narcotics. It is Endangering the Welfare of a Child.

**Middlesex County.** The US AOC report erroneously lists an additional wire for Middlesex. AO#2011-4 is a duplicate of MJGHUD0111, reported under Hudson with the offense of Murder. AO#2011-1,2 and 3 should have Francis listed as the Judge, not Gallipoli. The offense for AO#2011-1 (TLFMID0111) should be CDS, not other. In addition, AO#2011-1 (TLFMID0211) should list Prosecutor Kaplan..

**Monmouth County.** The US AOC report lists AO#2011-1, LMLMON0111 with Prosecutor Jennifer. It should be Prosecutor Warshaw.

**Morris County.** The US AOC report lists AO#2011-1, TVMMOR0311, as 30 days.  
(continued...)

Extensions were requested and granted for 47 intercept orders. In addition to the first extension granted in 47 instances, second extensions were granted in 16 instances, third

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<sup>3</sup>(...continued)

It is actually a prerecorded jail conversation and should be one day. AO#2011-2 should be reported under Union. It is wire TVMUNI0411. AO#2011-6 and AO#2011-7 are not Morris wires. There is no record of a wire being issued by Morris or any other county on December 2, 2011, the date for both of these wires. AO#2011-12 is a duplicate of AO#2011-11. AO#2011-13 is a duplicate of AO#2011-10. AO#2011-29 is wire TVMMOR0110, reported by Morris the prior year.

**Passaic County.** The federal report lists nine wires, all reported by Passaic in the prior year. Passaic reported their orders for 2011 late, so they are not included in this year's federal report. The 12 orders that should be listed are: MCCPAS0111 (2/14/11, CDS); MCCPAS0211 (5/3/11, CDS); MCCPAS0311 (5/3/11, CDS); MCCPAS0411 (5/3/11, CDS); MCCPAS0511 (5/3/11, CDS); MCCPAS0611 (5/16/11, CDS); MCCPAS1811 (9/8/11, CDS); MCCPAS1911 (9/8/11, CDS); GGBPAS1511 (8/19/11, CDS); GGBPAS1611 (8/19/11, CDS); GGBPAS1711 (8/19/11, CDS) and GGBPAS2011 (9/22/11, CDS).

**Union County.** The federal report includes two orders in 2011 that due to extensions were terminated in 2012 and will be reported next year: AO#2011-18, JPDUNI2711 and AO#2011-19, JPDUNI2611. AO#2011-9 and AO#2011-1 should list the offense as racketeering, not narcotics. The application date for AO#2011-7 (JPDUNI2011) should be June 16, 2011 and is a one day stored wire. AO#2011-8 (JPDUNI1911) should be dated June 01, 2011 and AO#2011-12 (JPDUNI1811) should be dated August 17, 2011. Union reported six orders that were not on the federal report, JPDUNI0111 (1/5/11, CDS); JPDUNI0211 (1/14/11, CDS); JPDUNI0311 (1/14/11, CDS); JPDUNI0511 (1/21/11, CDS); JPDUNI0611 (1/26/11, CDS) and JPDUNI0811 (4/19/11, Murder).

**State Attorney General.** The US AOC reports 68 intercept orders; the state Attorney General's Office reports 63 intercept orders. AO#2011-6, AO#2011-10, AO#2011-14, and AO#2011-20-23 refer to intercepts used in conjunction with ongoing investigations and were not reported by the state in 2011. These seven intercept orders will be reported by the Attorney General's Office at the conclusion of the investigations. The US AOC report included five duplicates: AO#2011-4 (SDNCAM2310); AO#2011-5 (SDNCAM2510); AO#2011-7 (PJJMER0111); AO#2011-11 (PJJMER1102); AO#2010-104 (LML11110). AO#2011-12 should be dated 2/18/2011 and total length should be 40 days. AO#2010-106 should have weapons as the offense. AO#2011-14 should be Judge Francis, not Judge Natal.

extensions in three instances and fourth extensions in two instances.

- . Of the 193 orders requesting interception of communication, 188 authorized wire (telephone) intercepts, one authorized oral intercepts, and 46 authorized electronic intercepts. Note that 42 of the orders granted more than one type of intercept.
- . There were a total of 42 requests for stored communications: 17 for text messages, 19 for pre-recorded jail conversations, three for a computer and two for video recordings and one for a pager/beeper.
- . Of the 193 orders requesting electronic surveillance, 186 were installed and utilized. One was installed and not utilized, and six intercepts were never installed or utilized.
- . Of the total 193 original orders, 90 authorized use of intercepts for 20 days, 68 authorized use of intercepts for 30 days, two authorized use for 21 days and two authorized use for one day. The remaining 31 orders involved only stored communications, so number of days authorized is not applicable.

Section 8 of the Wiretap Act specifies the crimes for which electronic surveillance may be granted. Offense data collected and analyzed for court-authorized electronic surveillance consider the most serious offense investigated.

Overall, electronic surveillance orders were granted in connection with investigations involving the following offense categories: controlled dangerous substance offenses, racketeering, murder offenses, leader of a narcotics network, terroristic threats, assault, burglary, robbery, child endangerment, weapons, forgery/fraud and kidnaping.

- . Of the 193 orders authorizing electronic surveillance, considering the most serious offense, the majority, 97 (51%), involved controlled dangerous substance offenses.

- In addition, 25 (13%) of the orders involved leaders of a narcotics network, 24 (13%) involved racketeering, 23 (12%) involved murder offenses, and 7 (4%) involved weapons offenses.
- Endangering the welfare of a child was the most serious offense for four orders. Forgery/fraud and burglary were the most serious offense in three orders each. Robbery and assault were involved in two orders each while terroristic threats, kidnaping and attempted murder involved one order each.

Applications resulting in orders granting use of electronic surveillance were filed by the following law enforcement agencies.

Division of Criminal Justice	36
New Jersey State Police	27
Union County Prosecutor's Office	19
Gloucester County Prosecutor's Office	15
Cumberland County Prosecutor's Office	13
Ocean County Prosecutor's Office	12
Passaic County Prosecutor's Office	12
Bergen County Prosecutor's Office	11
Morris County Prosecutor's Office	8
Somerset Prosecutor's Office	7
Essex County Prosecutor's Office	6
Unites States Drug Enforcement Agency	6
Hudson County Prosecutor's Office	4
Somerset County Prosecutor's Office	4
Middlesex County Prosecutor's Office	3
Atlantic County Prosecutor's Office	2
Cape May County Prosecutor's Office	2
Burlington County Prosecutor's Office	1
Camden County Prosecutor's Office	1

Warren County Prosecutor's Office	1
Avalon Police Department	1
Cumberland County Sheriff Department	1
Jersey City Police Department	1
<b>TOTAL <i>ORDERS</i> GRANTING ELECTRONIC SURVEILLANCE</b>	<b>193</b>

## DEFENDANT INDICTMENTS AND DISPOSITIONS

Summary information concerning defendant indictments resulting from electronic surveillance applications is provided below with detailed information on the following pages.<sup>4</sup> The information provided concerns defendant indictments resulting from each application, the offenses charged, and indictment dispositions.

- . At the close of the report, a total of 398 defendants were arrested of which 264 were indicted statewide as a result of electronic surveillance applications and orders.
- . At the close of the report, 120 defendants were awaiting grand jury, 192 defendants were awaiting trial and 11 defendants were fugitives. A total of seven defendants were referred to the US Attorneys office, two were referred to municipal court and one was dismissed re-indictment. Sixty-five defendants indicted reached final disposition.
- . Of those defendants reaching final disposition, 49 were convicted through guilty pleas, 16 were admitted into a pre-trial intervention program and seven defendants were dismissed or no billed.
- . Of those 264 defendants indicted, 239 (91%) were indicted for controlled dangerous substance offenses, including racketeering or leader of a narcotics network.
- . In addition, 15 defendants were indicted for murder offenses and three were indicted for weapons violations.
- . Of the remaining seven defendants indicted, two each were indicted for money laundering, hindering prosecution and forgery/fraud. One defendant was indicted for endangering the welfare of a child.

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<sup>4</sup> In addition to defendant indictment and disposition data for 2011 electronic surveillance applications, supplementary report or follow-up data is provided for electronic surveillance orders reported in previous calendar years.

**ELECTRONIC SURVEILLANCE 2011  
APPLICATION OUTCOMES, DEFENDANT INDICTMENTS,  
MOST SERIOUS OFFENSE AND DISPOSITION STATUS**

## *Wiretap List by County*

<i>COUNTY</i>	<i>WIRENO</i>	<i>OFFNI</i>	<i>APPLDATE</i>	<i>SURVTYPE</i>
<i>Atlantic County</i>				
	BEDATL0611	Murder	111021	Wire
	MADATL0511	Kidnapping	110802	Wire
<i>Bergen County</i>				
	LSDSBER0111	Burglary	110510	Oral
	LSDSBER0211	Leader Narcotics	110519	Wire/Electronic
	LSDSBER0311	Leader Narcotics	110519	Wire/Electronic
	LSDSBER0411	Leader Narcotics	110519	Wire/Electronic
	LSDSBER0511	Leader Narcotics	110528	Wire/Electronic
	LSDSBER0611	Leader Narcotics	110528	Wire/Electronic
	LSDSBER0711	Leader Narcotics	110607	Wire/Electronic
	LSDSBER0811	Leader Narcotics	110608	Wire/Electronic
	LSDSBER0911	Leader Narcotics	110608	Wire/Electronic
	LSDSBER1011	Murder	110817	Wire
	LSDSBER1111	Murder	110817	Wire
<i>Burlington County</i>				
	REBBUR0111	Murder	110513	Wire/Electronic
<i>Camden County</i>				
	SDNCAM0511	Endanger Child	111028	Electronic Comm
<i>Cape May County</i>				
	MADCPM0311	CDS	110218	Wire
	MADCPM0411	Burglary	110711	Wire
	WLMCPM0311	CDS	110217	Wire
<i>Cumberland County</i>				
	WLMCUM0111	Weapons Viol	110106	Wire
	WLMCUM0211	Weapons Viol	110125	Wire
	WLMCUM0411	Murder	110316	Wire
	WLMCUM0511	Murder	110316	Wire
	WLMCUM0611	Murder	110316	Wire
	WLMCUM0711	Murder	110316	Wire
	WLMCUM0811	Murder	110321	Wire
	WLMCUM0911	CDS	110328	Wire

<i>COUNTY</i>	<i>WIRENO</i>	<i>OFFNI</i>	<i>APPLDATE</i>	<i>SURVTYPE</i>
	WLMCUM1011	CDS	110405	Wire
	WLMCUM1911	CDS	110919	Wire
	WLMCUM2011	CDS	111005	Wire
	WLMCUM2511	CDS	111025	Wire
	WLMCUM2611	Robbery	111129	Wire
	WLMCUM2711	Murder	111208	Wire
<i>Essex County</i>				
	PJVESS0111	CDS	110426	Wire/Electronic
	PJVESS0211	CDS	110513	Wire/Electronic
	PJVESS0311	CDS	110706	Wire
	PJVESS0411	Assault	111026	Wire
	PJVESS0511	Assault	111117	Wire
	PJVESS0611	Murder	111118	Wire
<i>Gloucester County</i>				
	SDNGLO0211	CDS	110712	Wire/Electronic
	SDNGLO0311	CDS	110712	Wire/Electronic
	SDNGLO0411	Terr Threats	110711	Electronic Comm
	WLMGLO1111	CDS	110523	Wire/Electronic
	WLMGLO1211	CDS	110603	Wire/Electronic
	WLMGLO1311	CDS	110617	Wire/Electronic
	WLMGLO1411	CDS	110617	Wire/Electronic
	WLMGLO1511	CDS	110701	Wire/Electronic
	WLMGLO1611	CDS	110701	Wire/Electronic
	WLMGLO1711	CDS	110727	Wire/Electronic
	WLMGLO1811	CDS	110907	Wire/Electronic
	WLMGLO2111	CDS	111007	Wire/Electronic
	WLMGLO2211	CDS	111007	Wire/Electronic
	WLMGLO2311	CDS	111007	Wire/Electronic
	WLMGLO2411	CDS	111008	Wire/Electronic
<i>Hudson County</i>				
	KGCHUD0111	Leader Narcotics	110105	Wire/Electronic
	KGCHUD12410	Leader Narcotics	101118	Wire/Electronic
	KGCHUD13210	Leader Narcotics	101208	Wire/Electronic
	MJGHUD0111	Murder	110826	Electronic Comm
	SAVHUD0311	Robbery	111214	Wire

<i>COUNTY</i>	<i>WIRENO</i>	<i>OFFNI</i>	<i>APPLDATE</i>	<i>SURVTYPE</i>
<i>Middlesex County</i>				
	TLFMID0111	CDS	110222	Wire
	TLFMID0211	CDS	110315	Wire
	TLFMID0311	CDS	110329	Wire
<i>Monmouth County</i>				
	LMLMON0111	Att Murder	110225	Wire
	LMLMON0211	Racketeering	110525	Wire
	LMLMON0311	Racketeering	110623	Wire
	LMLMON0411	Racketeering	110715	Wire
	LMLMON0511	Murder	111005	Wire
	LMLMON0611	Murder	111005	Wire
	LMLMON0711	Murder	111005	Wire
<i>Morris County</i>				
	TVM MOR0311	Burglary	110516	Wire
	TVM MOR0511	Endanger Child	110729	Wire
	TVM MOR1111	CDS	111110	Wire/Electronic
	TVM MOR1211	CDS	111118	Wire/Electronic
	TVM MOR1311	CDS	111205	Wire/Electronic
	TVM MOR1411	CDS	111205	Wire/Electronic
	TVM MOR1511	CDS	111205	Wire/Electronic
	TVM MOR1611	CDS	111205	Wire/Electronic
<i>Ocean County</i>				
	FRHOCE0111	CDS	110122	Wire
	FRHOCE0211	CDS	110122	Wire
	FRHOCE0311	CDS	110201	Wire
	FRHOCE0411	CDS	110201	Wire
	FRHOCE0511	CDS	110204	Wire
	FRHOCE0611	CDS	110209	Wire
	FRHOCE0711	CDS	110209	Wire
	FRHOCE0811	CDS	110214	Wire
	FRHOCE0911	CDS	110216	Wire
	FRHOCE1011	CDS	110219	Wire
	FRHOCE1111	CDS	110222	Wire
	FRHOCE1211	CDS	110306	Wire
<i>Passaic County</i>				

<i>COUNTY</i>	<i>WIRENO</i>	<i>OFFN1</i>	<i>APPLDATE</i>	<i>SURVTYPE</i>
	GGBPAS1511	CDS	110819	Wire
	GGBPAS1611	CDS	110819	Wire
	GGBPAS1711	CDS	110819	Wire
	GGBPAS2011	CDS	110922	Wire
	MCCPAS0111	CDS	110214	Wire
	MCCPAS0211	CDS	110503	Wire
	MCCPAS0311	CDS	110503	Wire
	MCCPAS0411	CDS	110503	Wire
	MCCPAS0511	CDS	110503	Wire
	MCCPAS0611	CDS	110516	Wire
	MCCPAS1811	CDS	110908	Wire
	MCCPAS1911	CDS	110908	Wire
<i>Somerset County</i>				
	YCSOM0111	CDS	110323	Wire/Electronic
	YCSOM0211	CDS	110323	Wire/Electronic
	YCSOM0311	CDS	110323	Wire/Electronic
	YCSOM0411	CDS	110408	Wire/Electronic
<i>Union County</i>				
	JPDUNI0111	CDS	110105	Wire
	JPDUNI0211	CDS	110114	Wire
	JPDUNI0311	CDS	110114	Wire
	JPDUNI0511	CDS	110121	Wire
	JPDUNI0611	CDS	110126	Wire
	JPDUNI0811	Murder	110419	Wire
	JPDUNI0911	Racketeering	110503	Wire
	JPDUNI1011	Racketeering	110503	Wire
	JPDUNI1111	Racketeering	110506	Wire
	JPDUNI1211	Racketeering	110511	Wire
	JPDUNI1311	Racketeering	110519	Wire
	JPDUNI1411	Racketeering	110519	Wire
	JPDUNI1511	Murder Consp	110623	Wire/Electronic
	JPDUNI1611	Murder Consp	110719	Wire
	JPDUNI1711	Murder Consp	110802	Wire
	JPDUNI1811	Murder Consp	110807	Wire
	JPDUNI1911	Racketeering	110601	Wire
	JPDUNI2011	Murder	110616	Wire

<i>COUNTY</i>	<i>WIRENO</i>	<i>OFFNI</i>	<i>APPLDATE</i>	<i>SURVTYPE</i>
	JPDUNI2111	Racketeering	111026	Wire
	JPDUNI2211	Racketeering	111126	Wire
	JPDUNI2311	Racketeering	111117	Wire
	JPDUNI2411	Racketeering	111123	Wire
	JPDUNI2511	Racketeering	111130	Wire
	JPDUNI3311	Murder	111020	Wire
	TVMUNI0411	Racketeering	110630	Wire
<i>Warren County</i>				
	YCWAR0511	Murder Consp	110414	Wire
<i>Office of the Attorney</i>				
	JPDUNI0711	Weapons Viol	110218	Wire
	KGCHUD3809	CDS	090330	Wire
	KGCHUD4107	Forgery/Fraud	070607	Wire
	KGCHUD7407	Forgery/Fraud	070904	Wire
	KGCHUD7607	Forgery/Fraud	070904	Wire
	LMLMON0810	CDS	101017	Wire
	LMLMON0910	CDS	101017	Wire
	LMLMON1110	Leader Narcotics	101114	Wire
	LMLMON1210	Leader Narcotics	101114	Wire
	MADATL0111	CDS	110116	Wire/Electronic
	MADATL0211	CDS	110116	Wire/Electronic
	MADATL0510	CDS	100706	Wire
	MADATL0710	CDS	100728	Wire
	MCCPAS0711	CDS	090607	Wire
	MCCPAS0811	CDS	110629	Wire
	MCCPAS0911	CDS	110714	Wire
	MCCPAS1011	CDS	110714	Wire
	MCCPAS1111	CDS	110714	Wire
	MCCPAS1411	CDS	110808	Wire
	PJJMER0111	Endanger Child	110116	Wire/Electronic
	PJJMER0211	Endanger Child	110205	Electronic Comm
	SDMCAM0210	Leader Narcotics	100415	Wire
	SDNCAM0110	Leader Narcotics	100415	Wire
	SDNCAM0111	Weapons Viol	110302	Wire
	SDNCAM0310	CDS	100429	Wire
	SDNCAM0410	Leader Narcotics	100505	Wire

<i>COUNTY</i>	<i>WIRENO</i>	<i>OFFNI</i>	<i>APPLDATE</i>	<i>SURVTYPE</i>
	SDNCAM0510	Leader Narcotics	100528	Wire
	SDNCAM0610	Leader Narcotics	100528	Wire
	SDNCAM0710	Leader Narcotics	100528	Wire
	SDNCAM0810	Leader Narcotics	100529	Wire
	SDNCAM0910	Leader Narcotics	100529	Wire
	SDNCAM1110	Leader Narcotics	100618	Wire
	SDNCAM1210	CDS	100630	Wire
	SDNCAM1310	CDS	100630	Wire
	SDNCAM1510	CDS	100707	Wire
	SDNCAM1610	Leader Narcotics	100718	Wire
	SDNCAM1710	Racketeering	100914	Wire
	SDNCAM1810	Racketeering	101004	Wire
	SDNCAM1910	Racketeering	101004	Wire
	SDNCAM2010	Racketeering	101004	Wire
	SDNCAM2110	Racketeering	101101	Wire
	SDNCAM2210	Racketeering	101101	Wire
	SDNCAM2310	Racketeering	101128	Wire
	SDNCAM2510	Racketeering	101228	Wire
	TVMMOR0210	CDS	100126	Wire
	TVMMOR0310	CDS	100315	Wire
	TVMMOR0410	Leader Narcotics	100315	Wire
	TVMMOR0510	CDS	100315	Wire
	TVMMOR0610	CDS	100330	Wire
	TVMMOR0710	CDS	100407	Wire
	TVMMOR0910	CDS	100419	Wire
	TVMMOR1310	CDS	100506	Wire
	TVMMOR1510	CDS	100512	Wire
	TVMMOR1610	CDS	100512	Wire
	TVMMOR1710	Leader Narcotics	100527	Wire
	TVMMOR2310	CDS	100722	Wire
	TVMMOR2410	CDS	100722	Wire
	TVMMOR3210	Weapons Viol	101116	Wire
	TVMMOR3310	CDS	101118	Wire
	TVMMOR3410	CDS	101118	Wire
	TVMMOR3510	CDS	101124	Wire
	TVMMOR3610	Weapons Viol	101207	Wire

<i>COUNTY</i>	<i>WIRENO</i>	<i>OFFNI</i>	<i>APPLDATE</i>	<i>SURVTYPE</i>
	TVMMOR3K110	Weapons Viol	101031	Wire

**SUPPLEMENTARY REPORT FOR ELECTRONIC SURVEILLANCE  
REPORTED IN PREVIOUS CALENDAR YEARS**

**(Reported as of December 31, 2011)**

**Supplementary Report for New Jersey Electronic Surveillance 2011**

Original Report Year and Appl/Order No.	Offense	Arrest/Offense Information or Outcome	Def. Ind/Accus. (Most Serious Offense)	Defendant Disposition or Outcome -- 2011
<b>BERGEN COUNTY</b>				
2009 HGCBER0809	CDS	CDS (2009)	CDS (2011)	5 GUILTY, PLEA
2009 HGCBER0909	CDS	CDS (2009)	CDS (2011)	6 GUILTY, PLEA
2011 HGCBER0810	CDS	CDS (2011)	CDS (2011)	8 GUILTY, PLEA
2011 LSSBER1310	GAMBLING	GAMBLING (2011)	2 GAMBLING (2011)	2 GUILTY, PLEA
<b>CAPE MAY COUNTY</b>				
2011 MADCPM0810	CDS	CDS (2011)	CDS (2011)	5 GUILTY, PLEA 5 PTI 6 DISMISSED
<b>ESSEX COUNTY</b>				
2011 PJVESS1210	CDS	CDS (2011)	CDS (2011)	4 GUILTY, PLEA 6 PTI
<b>MIDDLESEX COUNTY</b>				
2011 YCSOM0110	CDS	CDS (2011)	CDS (2011)	2 GUILTY, PLEA
2009 LMLMID1609	CDS	CDS(2011)	CDS (2011)	1 GUILTY, PLEA
<b>MONMOUTH COUNTY</b>				
2007 LMLLMON0107	RACKETEERING	RACKETEERING (2007)	RACKETEERING (2008)	1 PTI
2008 LMLMON3508	RACKETEERING	RACKETERRING (2008)	RACKETEERING (2009)	2 GUILTY, PLEA
2009 LMLMON1909	CDS	CDS (2009)	CDS (2011)	2 GUILTY, PLEA
<b>MORRIS COUNTY</b>				
2011 TVMMOR2210	CDS	11 CDS (2011)	8 CDS (2011)	7 GUILTY, PLEA 2 DISMISSED 1 PTI
2011 TVMMOR2510	CDS	3 CDS (2011)		
2011 TVMMOR2610	OFF. MISCONDUCT	1 OFF MIS. (2011)	1 OFF. MIS (2011)	1 GUILTY PLEA
2011 TVMMOR2110	CDS	CDS (2011)	4 CDS (2011)	4 GUILTY, PLEA

### Supplementary Report for New Jersey Electronic Surveillance 2011

Original Report Year and Appl/Order No.	Offense	Arrest/Offense Information or Outcome	Def. Ind/Accus. (Most Serious Offense)	Defendant Disposition or Outcome -- 2011
<b>OCEAN COUNTY</b>				
2008 AJGOCE3608	CDS	CDS (2008)	CDS (2009)	5 GUILTY, PLEA
<b>OFFICE OF THE ATTORNEY GENERAL</b>				
2003 JAFESS1503	CDS	CDS (2007)	CDS (2011)	1 GUILTY, PLEA
2006 BTBMOR0606	CDS	CDS (2006)	CDS (2006)	1 GUILTY, PLEA
2006 MMSMER1206	CDS	CDS (2007)	CDS (2007)	4 GUILTY, PLEA
2007 MMSMER3506	RACKETEERING	RACKETEERING (2007)	RACKETEERING (2007)	16 GUILTY, PLEA
			CDS (2007)	1 GUILTY, PLEA
2008 SDNCAM1307	CDS	RACKETEERING (2008)	CDS (2009)	1 GUILTY, PLEA
2008 BTBMOR0308	CDS	CDS (2008)	CDS (2009)	4 GUILTY, PLEA
2009 LMLMON3108	CDS	CDS (2008)	CDS (2009)	1 GUILTY, PLEA
2009 KGCHUD9807	CDS	CDS (2009)	FORGERY/FRAUD (2011)	1 GUILTY, PLEA
2011 AJGATL4608	CDS	CDS (2011)	CDS (2011)	6 GUILTY, PLEA
2011 KGCHUD1190	CDS	CDS (2011)	CDS (2011)	3 GUILTY, PLEA
2011 KGCHUD1610	CDS	CDS (2011)	CDS (2011)	1 GUILTY, PLEA
			FORGERY/FRAUD (2011)	1 GUILTY, PLEA
2011 LMLMON0908	CDS	CDS (2011)	CDS (2011)	1 GUILTY, PLEA

# SUPREME COURT OF NEW JERSEY

STUART RABNER  
CHIEF JUSTICE



RICHARD J. HUGHES JUSTICE COMPLEX  
PO BOX 023  
TRENTON, NEW JERSEY 08625-0023

November 19, 2012

## MEMORANDUM TO: THE HONORABLE CHRIS CHRISTIE AND THE LEGISLATURE OF THE STATE OF NEW JERSEY

The New Jersey Wiretapping and Electronic Surveillance Control Act (N.J.S.A. 2A:156A-1 to -34) requires the Chief Justice to submit an annual report to the Governor and the Legislature (N.J.S.A. 2A:156A-23E). In accordance with that section, I am submitting this report to inform you of the operation of the Act during 2011.

N.J.S.A. 2A:156A-2(i) provides that only Superior Court judges designated by the Chief Justice are authorized to hear wiretap applications. For the year 2011, the following judges were authorized wiretap judges: by order dated April 26, 1994, Judge Kevin G. Callahan; by order dated July 22, 1997, Judge Linda R. Feinberg; by order dated December 3, 1997, Judge Samuel D. Natal; by order dated July 22, 1999, Judge Marilyn C. Clark; by order dated December 27, 2004, Judge Maurice Gallipoli; by order dated May 26, 2007, Judge Travis L. Francis and Judge Lawrence M. Lawson; by order dated July 14, 2008, Judge Peter J. Vazquez; by order dated February 1, 2009, Judge Joseph P. Donohue and Judge Thomas V. Manahan; by order dated February 18, 2009, Judge Peter E. Doyne; by order dated September 1, 2009, Judge Ronald E. Bookbinder, Judge Yolanda Ciccone, Judge Francis R. Hodgson, Jr. and Judge Walter L. Marshall, Jr.; by order dated March 1, 2010, Judge Pedro J. Jimenez, Jr.; by order dated June 1, 2010, Judge Michael A. Donio and Judge Bernard E. DeLury, Jr.; by order dated September 1, 2010, Judge Liliana DeAvila-Silebi; by order dated October 4, 2010, Judge Greta Gooden Brown; by order dated August 1, 2011, Judge Joseph V. Isabella; and by order dated October 3, 2011, Judge Sheila A. Venable and Judge Lisa Rose.

The data for the year 2011 includes reports of all orders granting permission to intercept wire, electronic and/or oral communications, or to perform electronic surveillance, for any period that ended in 2011. It is the actual termination date of the surveillance that governs which reports are included within the reporting year. During 2011, the reports to the Administrative Office of the Courts reflected 156 applications<sup>1</sup> seeking permission to intercept wire, electronic or oral communications. No applications were denied. Thus, in 2011 the authorized judges entered 156 orders granting permission to intercept wire, electronic and/or oral communications.

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<sup>1</sup> Note that the Office of the Attorney General reports 193 applications. The numbers differ because of differences in reporting methods for the two reports. The Judiciary reports a wiretap in the year that it terminated. The Attorney General does not report a wiretap until the investigation in the case is complete.

Of the 156 orders entered, 85 permitted interception of wire communications, 43 permitted interception of electronic communications, and 3 permitted interception of oral communications. In addition, 25 applications were authorized for the retrieval of stored communications, rather than for the interception of wire, electronic and/or oral communications. There were 54 orders authorized for 30 days each, 1 was authorized for 25 days, 2 were specified for 21 days each, 88 were specified for 20 days each, and 11 others were authorized for less than 20 days each. Additionally, 58 extensions of previously entered orders were granted during the reporting year. Of these, 34 extensions were for 30 days and 1 extension was for 20 days. There were another 23 extensions for 10 days or less.

The distribution of orders and extensions among the judges authorized to issue orders during 2011 was as follows:

Judge	Orders	Extensions
Ronald E. Bookbinder	1	0
Kevin G. Callahan	3	6
Yolanda Ciccone	5	0
Marilyn C. Clark	16	4
Liliana S. DeAvila-Silebi	11	0
Bernard E. DeLury, Jr.	1	0
Michael A. Donio	5	0
Joseph P. Donohue	26	4
Peter E. Doyne	0	0
Linda R. Feinberg	0	0
Travis L. Francis	5	4
Maurice J. Gallipoli	2	0
Greta Gooden Brown	4	5
Francis R. Hodgson, Jr.	12	5
Joseph V. Isabella	0	0
Pedro J. Jimenez, Jr.	2	1
Lawrence M. Lawson	7	3
Thomas V. Manahan	14	3
Walter L. Marshall, Jr.	27	11
Samuel D. Natal	8	11
Lisa Rose	0	0
Peter J. Vazquez	6	1
Sheila A. Venable	1	0
<b>Total</b>	<b>156</b>	<b>58</b>

N.J.S.A. 2A.156A-8 specifies the categories of officials who may authorize an application to an authorized judge. The following officials authorized the indicated number of applications during the reporting year:

	<b>Number of Applications Authorized</b>
<b>Theodore Romankow</b>	<b>26</b>
<b>Paula Dow</b>	<b>22</b>
<b>Sean Dalton</b>	<b>14</b>
<b>Marlene Lynch-Ford</b>	<b>12</b>
<b>Camelia M. Valdes</b>	<b>12</b>
<b>John Molinelli</b>	<b>11</b>
<b>Jennifer Webb-McRae</b>	<b>10</b>
<b>Robert A. Bianchi</b>	<b>8</b>
<b>Peter E. Warshaw, Jr.</b>	<b>7</b>
<b>Edward J. DeFazio</b>	<b>6</b>
<b>Carolyn Murray</b>	<b>6</b>
<b>Harold B. Shapiro</b>	<b>4</b>
<b>Geoffrey Soriano</b>	<b>4</b>
<b>Bruce Kaplan</b>	<b>3</b>
<b>Phillip H. Kwon</b>	<b>2</b>
<b>J. David Meyer</b>	<b>2</b>
<b>Robert D. Bernardi</b>	<b>1</b>
<b>Michael Curwin</b>	<b>1</b>
<b>Warren Faulk</b>	<b>1</b>
<b>Thomas S. Ferguson</b>	<b>1</b>
<b>Theodore F.L. Housel</b>	<b>1</b>
<b>Cary Shill</b>	<b>1</b>
<b>Robert L. Taylor</b>	<b>1</b>
<b>Total Applications</b>	<b>156</b>

During the reporting year the following law enforcement agencies made applications to authorized officials seeking permission to intercept wire, electronic and/or oral communications.

	<b>Number of Applications</b>
<b>Union County Prosecutor's Office</b>	<b>24</b>
<b>Division of Criminal Justice</b>	<b>18</b>
<b>Gloucester County Prosecutor's Office</b>	<b>15</b>
<b>Cumberland County Prosecutor's Office</b>	<b>13</b>
<b>Ocean County Prosecutor's Office</b>	<b>12</b>
<b>Passaic County Prosecutor's Office</b>	<b>12</b>
<b>Bergen County Prosecutor's Office</b>	<b>11</b>
<b>Morris County Prosecutor's Office</b>	<b>8</b>
<b>New Jersey State Police</b>	<b>7</b>
<b>Essex County Prosecutor's Office</b>	<b>6</b>
<b>Monmouth County Prosecutor's Office</b>	<b>6</b>
<b>Hudson County Prosecutor's Office</b>	<b>5</b>
<b>Somerset County Prosecutor's Office</b>	<b>4</b>
<b>Middlesex County Prosecutor's Office</b>	<b>3</b>
<b>Cape May County Prosecutor's Office</b>	<b>2</b>
<b>Elizabeth Police Department</b>	<b>2</b>
<b>Atlantic County Prosecutor's Office</b>	<b>1</b>
<b>Avalon Police Department</b>	<b>1</b>
<b>Burlington County Prosecutor's Office</b>	<b>1</b>
<b>Hazlet Township Police Department</b>	<b>1</b>
<b>Jersey City Police Department</b>	<b>1</b>
<b>Oaklyn Borough Police Department</b>	<b>1</b>
<b>Vineland Police Department</b>	<b>1</b>
<b>Warren County Prosecutor's Office</b>	<b>1</b>
<b>Total Applications</b>	<b>156</b>

N.J.S.A. 2A:156A-8 specifies the offenses for which an order may be entered for interception of wire, electronic and/or oral communications. During 2011, orders were granted in connection with investigations of the following crimes:

	<b>Number of Applications Authorized</b>
<b>Narcotics</b>	<b>118</b>
<b>Conspiracy</b>	<b>68</b>
<b>Leader of Narcotics Trafficking</b>	<b>42</b>
<b>Racketeering</b>	<b>28</b>
<b>Money Laundering</b>	<b>19</b>
<b>Murder</b>	<b>19</b>
<b>Aggravated Assault</b>	<b>15</b>
<b>Theft</b>	<b>8</b>
<b>Robbery</b>	<b>6</b>
<b>Terroristic Threats</b>	<b>6</b>
<b>Gambling</b>	<b>5</b>
<b>Endangering Welfare of a Child</b>	<b>4</b>
<b>Unlawful Manuf., Purchase, Use or Transfer of Firearms</b>	<b>4</b>
<b>Burglary</b>	<b>3</b>
<b>Kidnapping</b>	<b>2</b>
<b>Leader of Organized Crime</b>	<b>2</b>
<b>Arson</b>	<b>1</b>
<b>Escape</b>	<b>1</b>
<b>Official Misconduct</b>	<b>1</b>
<b>Total</b>	<b>352</b>

Please note that because some orders involved the investigation of more than one offense, the total number of offenses listed (352) is greater than the number of orders issued (156).

N.J.S.A. 2A:156A-11 provides that in certain instances a showing of special need is required before an order for interception of wire, electronic and/or oral communication is to be granted. The reports made by the authorized judges indicate that in reporting year 2011, a showing of special need was required in 1 of the orders, a showing was not required in 114 orders, and the special need information was not available in 41 orders.

Respectfully submitted,



Chief Justice Stuart Rabner