

IC 35-33.5-2-4

(a) Not later than December 31 of each year, a prosecuting attorney who during that year:
(1) has received a warrant or an extension; or
(2) represents a county in which an arrest or a conviction has occurred as the result of the warrant or extension; shall report in an electronic format under IC 5-14-6 the information described in subsection (b) to the legislative council.

(b) A prosecuting attorney shall report the following information under subsection (a):

(1) The information required in section 5 of this chapter.

IC 35-33.5-2-5

- (1) A warrant and one extension was applied for under this chapter by the Morgan County Prosecutor's Office and the Indiana State Police.*
- (2) The type of warrant or extension applied for was a wiretap and one extension of said wiretap for additional time.*
- (3) The initial application for wiretap was granted and the application for the extension of said wiretap was also granted.*
- (4) The duration authorized for interception by the warrant and the number and duration of any extensions. The initial wiretap ran from January 9, 2008 to February 6, 2008 and was authorized for thirty (30) days. The extension on said wiretap was granted on February 6, 2008 and was authorized for thirty (30) days.*
- (5) The designated offense for which the warrant or extension was issued or applied for was in regards to Class A, Class B, or Class C felonies that were controlled substance offenses.*
- (6) The identity of the persons who applied for the warrant or extension. Indiana State Police and Chief Deputy Morgan County Prosecutor's Office Robert Cline as authorized by Morgan County Prosecutor Steve Sonnega.*
- (7) The nature and location of the place, facility, or device from which communications were to be intercepted. Devices were that of a residential phone and a cellular phone located in Morgan County, Indiana.*
- (8) The reasons for withholding notice under IC 35-33.5-4-3, if the notice was withheld. Notice not withheld.*

(2) The number of arrests resulting from an interception made under a warrant or extension and the designated offense for which each arrest was made.

Ten (10) arrests were made.

Designated offense for each arrest: 1. Attempted Dealing and Conspiracy to Commit Dealing Narcotic Drug; 2. Conspiracy to Commit Dealing Narcotic Drug and Conspiracy to Commit Possession of Cocaine or Narcotic Drug; 3. Attempted Dealing, Conspiracy to Commit Dealing Narcotic Drug, and Possession of Cocaine or Narcotic Drug; 4. Conspiracy to Commit Dealing Narcotic Drug; 5. Conspiracy to Commit Dealing Narcotic Drug; 6. Dealing in Narcotic Drug; Conspiracy to Commit Dealing Narcotic Drug, and Attempt to Commit Dealing in Narcotic Drug; 7. Conspiracy to Commit Dealing Narcotic Drug; 8. Dealing in Narcotic Drug, Conspiracy to Commit Dealing Narcotic Drug, and Attempt to Deal in Narcotic Drug; 9. Conspiracy to Commit Dealing Narcotic Drug; and 10. Conspiracy to Commit Dealing Narcotic Drug.

(3) The number of charges filed as a result of an interception. *Forty-nine (49) charges*

(4) The number of motions to suppress made with respect to an interception and the number of motions granted or denied. *Five (5) suppression motions filed; none decided at the time of filing this report.*

(5) The number of convictions resulting from an interception, the designated offense for which each conviction was obtained, and a general assessment of the importance of interception in obtaining the convictions.

Two (2) convictions as of the time of filing of this report.

- 1. Pled down from Attempt to Commit Dealing and Conspiracy to Commit Dealing; conviction for Possession of Methamphetamine as D felony.*
- 2. Conviction on three (3) counts of Conspiracy to Deal Cocaine or Narcotic Drug, Methamphetamine as a B felony.*

The wiretap was very important in obtaining the above convictions. Through the wiretap, the Indiana State Police was able to interpret drug language or slang and identify the voices and/or identities of the defendants charged. The wiretap backed up the investigation initiated back in the fall of 2007 and reaffirmed the beliefs of the Indiana State Police and other police agencies involved, that the defendants were engaged in illegal activity pertaining to the sale and distribution of narcotic drugs. The wiretap aided in obtaining a search warrant of a defendant's residence during which evidence was found such as guns, monies, and illegal drugs. The wiretap also aided in the identification of co-conspirators, the preparation of surveillance, and in turn officer safety.

(6) A general description of the interceptions made under a warrant or an extension, including the following:

(A) The approximate nature and frequency of incriminating communications intercepted. *The nature of the incriminating communications included conversations about illegal drug activity including the availability, delivery, and payment for drugs. Meeting places for exchanges were discussed as well as supplier information for the illegal drugs. From the initial wiretap on January 9, 2008, these communications occurred daily ranging from one (1) to twenty (20) or more conversations a day.*

(B) The approximate nature and frequency of other communications intercepted. *The nature of other communications intercepted were not detailed in the reports of the officers involved. The nature of these communications involved calls from law offices, plans for going out, job searching, and even plans for scrapping and/or junking. These communications occurred more frequently than the incriminating communications and occurred daily ranging from five (5) to sixty (60) or more conversations a day.*

(C) The approximate number of persons whose communications were intercepted. *Approximately thirty (30) people.*

(D) The approximate nature, amount, and cost of manpower and other resources used in relation to the interceptions. *Indiana State Police monitored the information coming in from the wiretap and followed the minimization standards given. Over twenty-five (25) Indiana State Police Troopers and other law enforcement officers from various State, County, and City agencies were involved, from January 9, 2008 through and including February 27, 2008. Estimated costs of manpower and other resources - \$400,000.*