

# Guidance for Completing Federal WT-2 Wiretap Reports

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## Introduction

Title 18 USC § 2519 requires both judges and prosecutors to report on Title III wiretap applications and orders to the Administrative Office of the U.S. Courts (AOUSC) on an annual basis. The WT-2 report form is used to report a wiretap to the AOUSC.

The WT-2 is divided into two parts: Part 1 (Judge's Report) and Part 2 (Prosecutor's Report). Judges are required to complete and submit Part 1 data. Prosecutors are required to complete and submit both Part 1 and Part 2 data. This document is intended as a resource to guide judges and prosecutors who complete and submit the WT-2 report form.

In 2015, the AOUSC introduced new WT-2 report forms that can be edited and saved as PDFs from any computer with Adobe Reader 9 or better (click here for the [free Adobe Reader XI download](#)). In addition to allowing users with Adobe Reader to edit the WT-2 form, the editable PDF includes built-in validation logic to ensure all required information is entered before a report is submitted.

*Note: As a general rule when completing either Part 1 or Part 2 of a WT-2 report, do NOT include the name, telephone number, address, or any potentially identifying information about any subject of the wiretap anywhere on the WT-2 report. The AOUSC is not authorized to collect this information.*

## 1 Due Dates and Reporting Requirements

### 1.1 Due Dates and Reporting Requirements for Judges

**DUE DATE: January 31** is the due date for judges' Part 1 (Judge's Report) of the WT-2 to be received by the AOUSC for both denied wiretap applications and expired wiretap orders from the previous year.

*TIP → Although January 31st is the due date, it is a good practice to submit WT-2 Judge's Reports throughout the year as wiretap orders terminate. Some courts set a 30 day reminder that occurs after an order or extension is granted. At the end of the 30 days, the court verifies that the wiretap has terminated and completes a WT-2 Part 1 Judge's Report for the order.*

**RESPONSIBLE PARTIES:** The authorizing or denying judge is responsible for reporting all WT-2 Part 1 forms to the AOUSC; however, a judge can authorize court staff to complete Part 1 on his or her behalf. Section 8A of the WT-2 Part 1 Judge's Report requires an electronic signature or other endorsement from the responsible judge, regardless of who prepares the WT-2 Part 1.

**REPORTABLE APPLICATIONS:** A WT-2 Part 1 (Judge's Report) should be submitted when:

- A wiretap is denied;
- An order or extension authorizing interception of communications under 18 U.S.C. § 2518 that expired during the preceding calendar year. (An authorized application and order should only be reported after the order and all extensions have expired.)

## 1.2 Due Dates and Reporting Requirements for Prosecutors

**DUE DATE: March 31** is the due date for prosecutors to submit both Part 1 and Part 2 of the WT-2 to the AOUSC for wiretaps terminated during the previous year.

**RESPONSIBLE PARTIES:** Even though the AOUSC receives WT-2 Part 1 from the judge, the prosecutor is responsible for reporting both WT-2 Part 1 and Part 2 data to the AOUSC.

***TIP → To reduce duplication of effort on completing WT-2 Part 1 information, coordinate with your judge's staff to get a copy of the WT-2 Part 1 (Judge's Report) that the court submits to the AOUSC.***

**REPORTABLE APPLICATIONS:** A WT-2 should be submitted by prosecutors for the following:

- A denied application for a wiretap (Part 2 will be blank);
- An authorized wiretap order that terminated during the preceding calendar year.

## 1.3 Excluded or Not Reportable Applications for Interception

A WT-2 Part 1 should **NOT** be submitted for any of the following situations:

- When orders are issued at the request, or with the consent, of one of the principal parties to the communication;
- When a police officer or police informant is a party to the communication;
- When only a body microphone is used;
- When a pen register is used alone and not in conjunction with any wiretap or interception of communication;
- When the order is related to a sealed terrorism case.

## 2 WT-2 – Part 1 (Judge’s Report)

Part 1 (Judge’s Report) gathers information on the initial application for interception of communications and any related extensions. The first two pages of the WT-2 form constitute Part 1 (Judge’s Report). The heading of each page will identify if the page is Part 1 related.

<p><b>ADMINISTRATIVE OFFICE OF THE UNITED STATES COURTS</b></p> <p><b>PART 1 (JUDGE’S REPORT)</b></p> <p><b>REPORT OF APPLICATION AND/OR ORDER</b></p> <p><b>AUTHORIZING INTERCEPTION OF COMMUNICATIONS</b></p> <p><i>(To be reported by January 31 for denied applications and for approved applications for orders that expired during the preceding year, pursuant to 18 U.S.C. § 2519(1))</i></p>
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The Part 1 form is divided into multiple sections, labeled 1 through 8B. Below are guidance and tips on completing each section in the Judge’s Report.

### 2.1 Section 1: Judge Authorizing or Denying the Application

Section 1, example below, collects required information on the judge and court that approved or denied the application for interception. The section requires the judge’s name and the jurisdiction of the court where the judge was presiding. The section also includes a field for entering a unique court reference number (if available).

1. Judge Authorizing or Denying the Application			
Judge's First Name:	Middle Initial:	Last Name:	Suffix: <input type="text"/>
Court Jurisdiction: Select: <input type="text"/>		Court Reference No.: <input type="text"/>	

Court Jurisdiction

Court Reference Number

**Judge’s Name:** The name of the judge who either authorized or denied the wiretap application being reported. The *Judge’s First Name* and *Judge’s Last Name* fields are required.

**Court Jurisdiction:** The jurisdiction of the court where the judge was presiding. In the case of a visiting judge, the court jurisdiction should reflect the court where the application for the wiretap order was submitted.

**Court Reference Number:** If available, provide a unique reference number used by the court for this specific application or order authorizing a wiretap. If multiple wiretap orders are associated with the same case number, please add a number or letter to make the Court Reference Number unique for each related WT-2 form. Please do **NOT** include any names or phone numbers as part of this reference number.

## 2.2 Section 2: Source - Official Making the Application

Section 2 collects required information on the official applying for the wiretap. See example below.

2. Source - Official Making Application				
Official's Name & Telephone	Official's First Name:	Middle Initial:	Last Name:	Suffix: Telephone No.:
Official's Title	Title: (i.e., DA, etc.) Select:		Official's Jurisdiction/Agency:	Official's Jurisdiction or Agency

**Official's Name & Telephone No.:** The name and telephone number of the official applying for the wiretap order. The *Official's First Name*, *Official's Last Name*, and *Telephone No.* are required fields.

**Official's Title:** The title of the official making the application for the wiretap. The *Title* field is required. Before manually entering a *Title*, please determine if any of the existing options in the drop down menu are appropriate. If none of the titles in the list are appropriate, you may type the official's title in this field.

**Official's Jurisdiction or Agency:** The agency or jurisdiction with which the official making the application is associated. This information is required.

## 2.3 Section 3: Deputy Assistant Attorney General

3. Deputy Assistant Attorney General (DAAG)	
Deputy Assistant Attorney General's Name Select:	Other Deputy Assistant Attorney General's Name
Deputy Assistant Attorney General	Other Deputy Assistant Attorney General

**Deputy Assistant Attorney General:** The name of the federal Deputy Assistant Attorney General (DAAG), in the Criminal Division at the Department of Justice, who approved the wiretap application. This field is required for all federal WT-2 Part 1 forms.

The form contains a drop down list of known DAAGs. This list should be definitive, but in the rare circumstance where the correct DAAG is not in the list provided, please select the 'Other' option from the drop down menu.

**Other Deputy Assistant Attorney General:** The *Other Deputy Assistant Attorney General* field is available for adding a new DAAG not in the predefined list. Before adding a new DAAG, please verify that the name you wish to enter is the authorizing DAAG and not the authorizing AUSA.

3. Deputy Assistant Attorney General (DAAG)			
Deputy Assistant Attorney General's Name		Other Deputy Assistant Attorney General's Name	
Other		Frank Smith	
<ul style="list-style-type: none"> <li>Marshall Miller</li> <li>Molly Moran</li> <li>Paul O'Brien</li> <li>Mythili Raman</li> <li>Barry Sabin</li> <li>Bruce Swartz</li> <li>Mary Warren</li> <li>Jason Weinstein</li> <li>Tony West</li> <li>Other</li> </ul>		Other Deputy Assistant Attorney General's Name is only available for editing if Prosecutor's Jurisdiction is set to 'Other'.	Suffix: <input type="text"/> Telephone No.: <input type="text"/>

'Other' selected from Deputy Assistant Attorney General drop down menu.

### 2.4 Section 3A: Prosecution Official Authorizing the Application

3A. Prosecution Official Authorizing Application				
Prosecutor's Name & Telephone Number	Prosecutor's First Name:	Middle Initial:	Last Name:	Suffix: <input type="text"/> Telephone No.: <input type="text"/>
	Prosecutor's Jurisdiction: Select:	Prosecutor Reference No.: <input type="text"/>		

Prosecutor's Jurisdiction

Prosecutor Reference Number

**Prosecutor's Name & Telephone:** The name and telephone number of the prosecutor who authorized the original wiretap application. The *Prosecutor's First Name*, *Prosecutor's Last Name*, and *Telephone No.* fields are all required.

**Prosecutor's Jurisdiction:** The *Prosecutor's Jurisdiction* field is required and can be selected from a drop down list of known jurisdictions.

**Prosecutor's Reference Number:** If available, provide a unique reference number used by the prosecution for this specific application or order. If multiple wiretap orders are associated with the same number, please add a number or letter to make the Prosecutor Reference Number unique for each related WT-2 form. Please do **NOT** include any names or phone numbers as part of this reference number.

## 2.5 Section 3B: Law Enforcement Agency Conducting the Wiretap

3B. Law Enforcement Agency Conducting the Wiretap						
Agency Name	Agency Name ( <i>FBI, DEA, Sheriff, etc.</i> )				Agency Reference No.:	Agency Reference Number
Agency Contact	Contact Person's First Name:	Middle Initial:	Last Name:	Suffix:	Telephone No.:	Extension:

**Agency Name:** The name of the law enforcement agency conducting the wiretap. This field is required.

**Agency Reference Number:** If available, a unique reference number used by the law enforcement agency for this specific application or order authorizing the interception. If multiple wiretap orders are associated with the same reference number, please add a number or letter to make the Agency Reference Number unique for each related WT-2 form. Do **NOT** include any names or phone numbers as part of this reference number.

**Agency Contact:** The name and telephone number of the contact person at the law enforcement agency. The *Contact Person's First Name, Last Name, and Telephone No.* fields are all required.

## 2.6 Section 4: Nature of Most Serious Offense

Sections 4 and 5 are placed next to each other on the first page of the WT-2 Part 1 (Judge's Report). Section 4 is to the left (identified in the screenshot below within the red box).

4. Offense ( <i>Most Serious</i> )		5. Type of Order ( <i>Select One</i> )	
Most Serious Offense	Most Serious Offense: Select:	<input type="checkbox"/>	Ordinary Specification Order ( <i>including most cell phone wiretaps</i> )
Title & Section of Offense	Title/Section of Offense:	<input type="checkbox"/>	Roving - Relaxed Specification Order Granted under 18 U.S.C. 2518(11)

**Most Serious Offense:** The nature of the most serious offense specified in the order or application. Please select the most appropriate general description from the *Most Serious Offense* drop down menu.

**Title/Section of Offense:** When the *Most Serious Offense* is set to 'Conspiracy', 'Possession', or 'Other'; you will be required to enter the specific title and section of the most serious charge specified in the application or order. Otherwise, this field will be locked and will not allow title/section information to be entered.

**TIP →** When two or more offenses are specified in the application, the offense with the maximum statutory sentence is to be classified as the most serious. If two specified offenses have the same maximum statutory sentence, then a crime against a person takes priority over a crime against property.

## 2.7 Section 5: Type of Order

Section 5 requires information on whether the application or order is for an ordinary specification order or a less common roving-relaxed specification order, as defined by Title 18 U.S.C. § 2518(11). This selection is required and only one option can be selected.

4. Offense (Most Serious)		5. Type of Order (Select One)	
Most Serious Offense: Select:	<input type="radio"/> Ordinary Specification	<input type="checkbox"/>	Ordinary Specification Order (including most cell phone wiretaps)
Title/Section of Offense:	<input type="radio"/> Relaxed-Roving Specification	<input type="checkbox"/>	Roving - Relaxed Specification Order Granted under 18 U.S.C. 2518(11)

**Ordinary Specification Order:** An ordinary specification order is the most common type of order. The application and/or order includes a specific description of the type and location of the particular devices being intercepted. An ordinary specification order is issued for most cell phone / mobile device wiretaps.

**Roving-Relaxed Specification Order:** A roving-relaxed specification order is defined under 18 U.S.C. § 2518(11) and allows relaxed requirements for specifics on the type of or location of the facilities being intercepted. Roving-relaxed specification orders clearly define a particular individual whose communications will be intercepted without limiting the order to a particular type or location of the facilities to be intercepted.

By definition, a roving-relaxed specification order will not be limited to a specific device or location. If 'Roving-Relaxed Specification Order' is selected, then the 'No Location Specified in Order' option will be automatically select in Section 8: Location Shown in Intercept Order.

***TIP → In most cases a wiretap on a cell phone number is NOT a Roving-Relaxed Specification Order.***



## 2.8 Section 6: Duration of Intercept

6. Duration of Intercept							
Order or Extension	No. of Days	Date of Application	Check One Denied    Granted		Date Order Denied or Granted	Date that a Granted Order/Extension was Modified or Amended, if applicable.	
Original Request			<input type="checkbox"/>	<input type="checkbox"/>		Date Modified /Amended	
1st Extension			<input type="checkbox"/>	<input type="checkbox"/>		Date Modified /Amended	
2nd Extension			<input type="checkbox"/>	<input type="checkbox"/>		Date Modified /Amended	
3rd Extension			<input type="checkbox"/>	<input type="checkbox"/>		Date Modified /Amended	
4th Extension			<input type="checkbox"/>	<input type="checkbox"/>		Date Modified /Amended	
5th Extension			<input type="checkbox"/>	<input type="checkbox"/>		Date Modified /Amended	
6th Extension			<input type="checkbox"/>	<input type="checkbox"/>		Date Modified /Amended	
Use the last page of the form for additional extensions.	Total Number of Extensions: 0				Total Days Authorized: 0		

**Original Request:** The first row is for information about the requested duration, application date, application status, and dates that decisions were made on the original request or application for a wiretap order. The AOUSC will not accept a WT-2 Part 1 form without information on the original request.

**Extensions:** Any subsequent requests to extend the duration of the existing order should be entered in order from the ‘1<sup>st</sup> Extension’ to the ‘6<sup>th</sup> Extension’. If there are more than 6 extension requests, the last page of the WT-2 form has lines for entering the 7<sup>th</sup> through 36<sup>th</sup> applications for extension, if needed.

Order or Extension	No. of Days	Date of Application	Check One Denied    Granted		Date Order Denied or Granted	Date that a Granted Order/Extension was Modified or Amended, if applicable.	
Original Request			<input type="checkbox"/>	<input type="checkbox"/>		Date Modified /Amended	
1st Extension			<input type="checkbox"/>	<input type="checkbox"/>		Date Modified /Amended	
2nd Extension			<input type="checkbox"/>	<input type="checkbox"/>		Date Modified /Amended	
3rd Extension			<input type="checkbox"/>	<input type="checkbox"/>		Date Modified /Amended	
4th Extension			<input type="checkbox"/>	<input type="checkbox"/>		Date Modified /Amended	
5th Extension			<input type="checkbox"/>	<input type="checkbox"/>		Date Modified /Amended	
6th Extension			<input type="checkbox"/>	<input type="checkbox"/>		Date Modified /Amended	
Use the last page of the form for additional extensions.	Total Number of Extensions: 0				Total Days Authorized: 0		

**Number of Days Requested:** The requested duration of the intercept is required for the original request and all subsequent extensions. The *No. of Days* field cannot exceed 30

days for the original request or any single request for extension; however, multiple extensions can be requested and/or authorized.

**Application Date:** This is the date of the original application or extension application. For extensions, the application date should reflect the date that the request for extension was made. The application date should be in MM/DD/YYYY format and is required for the original request and each subsequent extension request.

**Application Status:** This selection is required. If the entire request was denied, then select the *Denied* checkbox. If the request was granted resulting in an order authorizing interception, then select *Granted*.

**Date Denied or Granted:** The date the judge denied or granted the application. This information is required for the original request and each subsequent request for extension.

**Date of Modification or Amendment:** If the application was granted with some modifications or was amended, enter the date that the judge modified or amended the order or extension. If no modifications or amendments were made, please leave the *Date Modified/Amended* field blank. Note: an application for extension should **NOT** be identified as a modification or amendment to the original request.

**Summary Checks:** At the bottom of Section 6 there are two read-only fields, *Total Number of Extensions* and *Total Days Authorized*, which can be used to validate that all extensions were entered. *Total Number of Extensions* is a count of all extensions entered on the form with an application status of *Granted*. *Total Days Authorized* is the sum of requested days for all *Granted* applications and requests. These sums should match your internal records for the number or extensions and total requested duration of the wiretap order being reported.

**TIP → All date fields on the form can be entered in manually (MM/DD/YYYY format) or through a pop-up calendar. To access the calendar, first move your cursor to the date field. See example below.**

Order or Extension	No. of Days	Date of Application	<i>Check One</i>	
Original Request			<input type="checkbox"/> Click to Open Calendar	
1st Extension			<input type="checkbox"/>	<input type="checkbox"/>

**Then click on gray arrow button at the right of the field to open the calendar.**

Order or Extension	No. of Days	Date of Application	Check One	
			Denied	Granted
Original Request		October, 2014		<input checked="" type="checkbox"/>
1st Extension		Sun 28 Mon 29 Tue 30 Wed 1 Thu 2 Fri 3 Sat 4		<input type="checkbox"/>
2nd Extension		5 6 7 8 9 10 11		<input type="checkbox"/>
3rd Extension		12 13 14 15 16 17 18		<input type="checkbox"/>
4th Extension		19 20 21 22 23 24 25		<input type="checkbox"/>
5th Extension		26 27 28 29 30 31 1		<input type="checkbox"/>
		2 3 4 5 6 7 8		<input type="checkbox"/>
		Today: 12/31/2014		<input type="checkbox"/>

## 2.9 Section 7: Type of Intercept

Section 7 provides a series of checkboxes to identify the type of device(s) or nature of communication specified in the application or order. At least one checkbox must be selected, but you should select all the checkboxes that apply to the application.

7. Type of Intercept (Check all that apply to this order/authorization)		
<b>Phone - check device(s)</b> <input type="checkbox"/> Cellular or Mobile Telephone <input type="checkbox"/> Standard Telephone (land line) <input type="checkbox"/> Other (specify) <hr/>	<b>Oral - check device(s)</b> <input type="checkbox"/> Microphone / Eavesdrop <input type="checkbox"/> Other (specify) <hr/>	<b>Electronic - check device(s)</b> <input type="checkbox"/> Computer (including email) <input type="checkbox"/> Digital Pager <input type="checkbox"/> Fax Machine <input type="checkbox"/> Text Messaging <input type="checkbox"/> App <input type="checkbox"/> Other (specify) <hr/>

**Phone - Cellular or Mobile Telephone:** Interception of oral communications on one or more mobile telephones. Note: Intercept of text messages, IM, or email from a mobile phone should be categorized as *Text Messaging* or *App* under the Electronic column.

**Phone - Standard Telephone:** Interception of oral communications on one or more land line telephones.

**Oral - Microphone/Eavesdrop:** Interception of oral communications through microphone or other recording/eavesdropping device. Note: This does not include situations where only a body microphone is used.

**Electronic - Computer:** An intercept of electronic communications like email involving one or more desktop, laptop, iPad, or tablet computer. Note: Authorization to intercept IM or Skype conversations from a computer should be categorized as an application under *App*.

**Electronic – Digital Pager:** Interception of messages to and from one or more pagers. This includes one-way, two-way, and/or response pagers.

**Electronic – Fax Machine:** Interception of incoming and/or outgoing fax documents.

**Electronic – Text Messaging:** Interception of text messages from any SMS capable device including mobile phones and computers.

**Electronic – App:** Interception of communications over apps or applications like Skype, WhatsApp, and Wickr.

**Other:** If you do not see an option that adequately reflects the type of intercept specified in the application or order, then please select one of the *Other* checkboxes under Phone, Oral, or Electronic that best fits the situation. If an *Other* checkbox is selected, then a brief description will be required.

**TIP → If an application requests interception of calls, text messages, and IMs from a smart phone, please select all that apply: Cellular or Mobile Phone, Text Messaging, and App.**

## 2.10 Section 8: Location Shown in Intercept Order

Section 8 provides a series of checkboxes to identify the type of location(s) specified in the application or intercept order. At least one checkbox in Section 8 must be selected, but you should select all of the checkboxes that apply to the application for interception.

8. Location Shown in Intercept Order (Check all that apply to this order/authorization)	
<input type="checkbox"/> Portable Device - Carried by/on Individual (e.g., cell phone, pager)	
<input type="checkbox"/> Personal Residence (e.g., single family house, apartment, mobile home, rooming house, dormitory)	
<input type="checkbox"/> Business (e.g., store, office, restaurant, gym, hospital, school)	
<input type="checkbox"/> Public Area (e.g., pay telephone, park, station, airport, library, street, cemetery)	
<input type="checkbox"/> Other Location (e.g., motel, prison, jail, vehicle, another specified location not listed)	
Specify _____	Specify - Other Location
<input type="checkbox"/> No Location Specified in Order (either "roving" as shown in item 5, or other circumstances)	
Describe _____	Describe - No Location Specified

**Portable Device:** Any device that can be carried by or on an individual. This could include mobile or cell phones, pagers, tablets, etc.

**Personal Residence:** Any place the subject(s) of the intercept resides including detached houses, duplexes, town/row houses, apartments, self-contained private room or apartments within a house of condominium, mobile homes, and boarding houses with common telephones, dormitories, fraternity/sorority houses, nursing homes, etc.

**Business:** Any place of business including stores, offices, restaurants, gyms, hospitals, schools, government agency offices, etc.

**Public Area:** Any public area including parks, pay telephones, bus/train stations, airports, cemeteries, streets, etc.

**Other Location:** Use this option if none of the other checkboxes adequately covers the location of the interception. The form will require a brief description of the location specified in the application. Some examples include motels, prison and jail cells, vehicles, etc.

**No Location Specified:** Use this option in the unusual situations where the wiretap application or order does not specify a specific location or device. This checkbox will be automatically selected if Section 5: Type of Order was identified as a *Roving-Relaxed Specification Order*. If selected, the form will require a brief description of why *No Location Specified in Order* applies.

### 2.11 Section 8A: Judge’s Signature

8A. Judge's Signature (Affix Signature Image File (e.g., JPEG, GIF, TIFF, etc.) or Check Endorsement Box)			
	<input type="checkbox"/> Judge's Endorsement	Date:	Telephone No.:
↑ /s/ Judge's Name	↑ Judge's Endorsement	↑ Date Signed or Endorsed	↑ Judge's Telephone

Section 8A of the WT-2 Part 1 (Judge’s Report) requires a “/s/” followed by the judge’s typed name or endorsement from the responsible judge regardless of who prepares the WT-2 Part 1. The Judge’s Endorsement checkbox is available to acknowledge the WT-2 Part 1 form is being completed with the endorsement of the judge on his or her behalf.

The date the judge acknowledged the completed WT-2 Part 1 (Judge’s Report) and the judge’s telephone number are also required.

## 2.12 Section 8B: Report Prepared By

8B. Report Prepared By					
Report Preparer Name & Phone	Report Preparer's First Name:	Middle Initial:	Last Name:	Suffix:	Telephone No.: Extension:
	Title:				Date:
	Report Preparer Official Title				Date Report Prepared

Since a judge can authorize court staff or the AUSA to complete Part 1 on his or her behalf, Section 8B requires information on the name, telephone number, and title of the person who actually prepared the WT-2 Part 1 (Judge's Report).

The report preparer is also required to enter the date that the form was completed. Date in Section 8B is compared against the application date of the original request reported in Section 6.

***TIP → Create and use a judge specific copy of a blank WT-2 Part 1 form with portions of Sections 1, 8A, and 8B already completed for WT-2 reports for the same judge and report preparer. Information that could be shared across WT-2 Part 1 forms includes:***

- ***Section 1: Judge's Name***
- ***Section 1: Court Jurisdiction information***
- ***Section 8A: Judge's Telephone Number***
- ***Section 8B: Report Preparer's Name, Telephone, and Title. The Date that the report was prepared should NOT be pre-populated.***

## 2.13 WT-2 - Part 1: Validating, Saving and Submitting the Judge's Report

The following information is specifically for judges and court staff. Prosecutors should go directly to the directions for WT-2 - Part 2 (Prosecutor's Report) on page 16.

Judges are only responsible for completing and submitting Part 1 of the WT-2 form for a wiretap application. Once the report is completed and electronically signed (or endorsed) by the Judge, the final steps in completing a WT-2 Part 1 Judge's report are to:

- Validate the Part 1 Judge's Report;
- Save a copy of the PDF with a unique name;
- Send or submit the completed report to the AOUSC and the official who originally made the wiretap application.

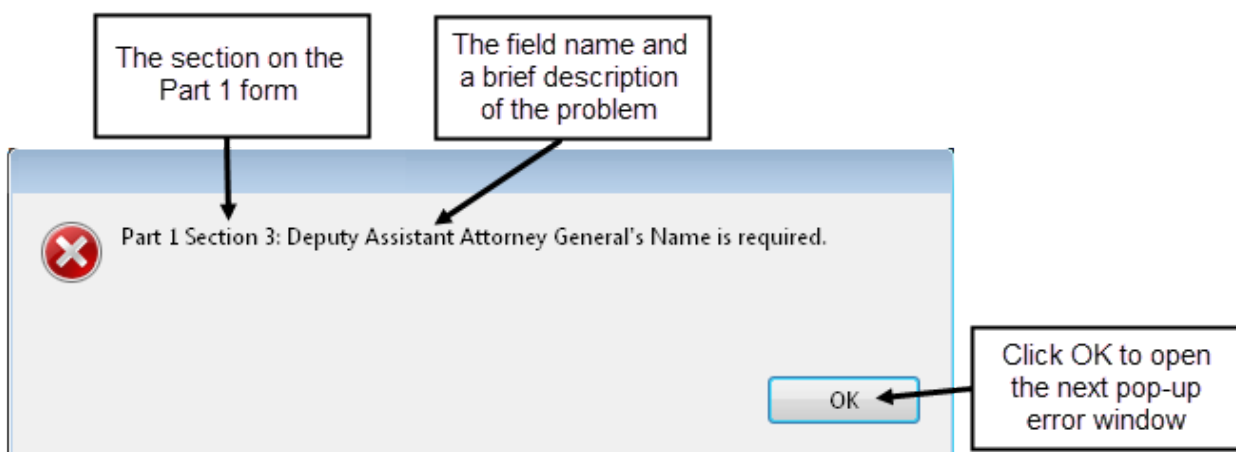
The PDF form provides utility buttons at the bottom of the second page to assist with these tasks.

### 2.13.1 Validating the WT-2 Part 1 Judge’s Report Forms

The *Validate Part 1* button allows you to double check that all required fields on the Judge’s Report have been entered.



Clicking the button will check each required field on the Judge’s Report and will present any validation errors one at a time. The pop-up error messages include the section (1 through 8B) and field where the error was found and a brief description of the problem.



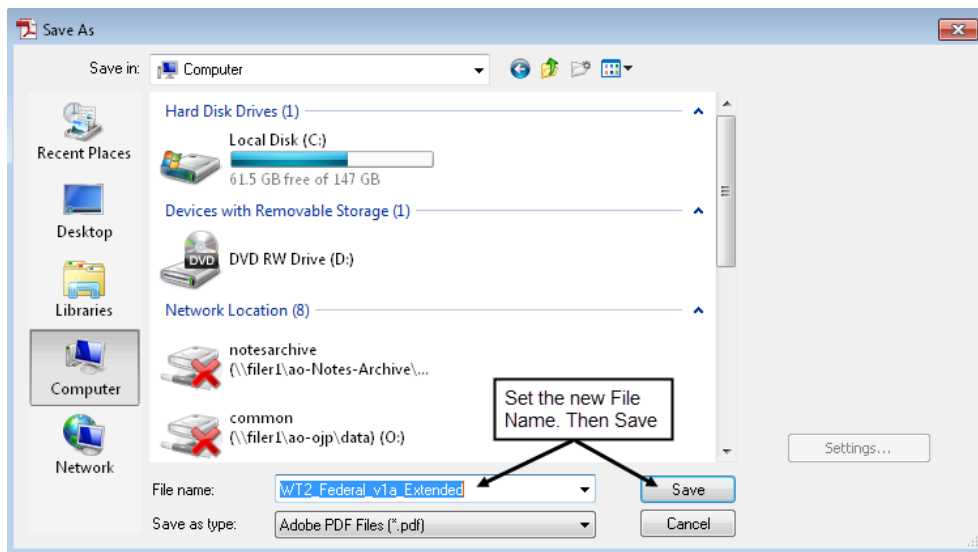
**TIP →** *Since there may be multiple error pop-up messages, it is a good practice to write down both the section and field name prior to clicking the OK button and opening the next error message.*

### 2.13.2 Saving Fully & Partially Completed WT-2 Part 1 Judge’s Report Forms

When filling out multiple WT-2 Part 1 Judge’s Reports, it is crucial to save each report under a unique file name. Otherwise there is a risk of overwriting a completed form.



The Save As utility is part of the PDF reader and can be accessed through either the *Save As* button or through the File menu on the PDF reader.



**TIP → To facilitate finding different reports it is helpful to use a standard naming convention. One scheme might be to use the judge's last name, prosecutor's last name, law enforcement agency and the date of the original application. For example, WT2\_HarperSmithDEA011214 might describe a WT-2 Part 1 report related to an application put before Judge Harper by AUSA Smith for the DEA on Jan 12<sup>th</sup>, 2014.**

### 2.13.3 Submitting WT-2 Part 1 Judge's Report Forms to the AOUSC

The final step in completing a WT-2 Part 1 report is to email the report to the AOUSC as a PDF file. The reports should be emailed to [SD-WIRETAP@AO.USCOURTS.GOV](mailto:SD-WIRETAP@AO.USCOURTS.GOV). After April 1<sup>st</sup>, 2015 the AOUSC will not accept WT-2 forms received by fax or regular mail except under rare circumstances when a court cannot submit electronically.

Each WT-2 Part 1 report should be a uniquely named PDF file. Multiple PDF files can be sent to the AOUSC in a single email with multiple attachments. Multiple WT-2 reports should **NOT** be combined into a single PDF file.

A PDF copy of each completed and signed WT-2 Part 1 report should also be sent to the official who applied for the original wiretap order to assist them in completing Part 2 of the WT-2.



### 3 WT-2 – Part 2 (Prosecutor’s Report)

Part 2 (the Prosecutor’s Report) focuses on the details, associated costs, and results of the interceptions authorized by the Judge’s order. The third and fourth pages of the WT-2 form constitute Part 2 (Prosecutor’s Report). The heading of each page will identify if the page is related to Part 2.

<b>ADMINISTRATIVE OFFICE OF THE UNITED STATES COURTS</b> <b>PART 2 (PROSECUTOR’S REPORT)</b> <b>REPORT OF APPLICATION AND/OR ORDER</b> <b>AUTHORIZING INTERCEPTION OF COMMUNICATIONS</b> <i>(To be reported by March 31 for terminated investigations, pursuant to 18 U.S.C. § 2519(2))</i>
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The Part 2 of the WT-2 form is divided into multiple sections. Below are guidance and tips on completing each of these sections in the Prosecutor’s Report.

#### 3.1 Judge Authorizing or Denying the Application

Read-Only Copied from Section 1 on Page 1	<b>Judge Authorizing or Denying the Application</b>			
	Judge's First Name:	Middle Initial:	Last Name:	Suffix:
	State:	Court Jurisdiction:	Court Reference No.:	

Information on the judge and court that approved or denied the wiretap application is copied over from Section 1 on page 1. The information is presented on page 3 simply to assist in filling out the Part 2 of the WT-2.

#### 3.2 Prosecution Official Authorizing Application

Copied from Section 3A on Page 1 (Read Only)	<b>Prosecution Official Authorizing Application</b>				
	Prosecutor's First Name:	Middle Initial:	Last Name:	Suffix:	Telephone No.:
	Prosecutor Reference No.:	Agency Reference No.:		Application Date (Original Request):	

Copied from Section 3B  
on Page 1  
(Can be Changed)

Copied from Section 6  
on Page 1  
(Read Only)

Similar to the previous section, information on the authorizing prosecutor, original application date, and associated reference numbers are copied from various sections on Part 1 of the form.

If needed, you can change the *Agency Reference No.* in this section in cases where the law enforcement agency number was unknown or has changed since the Part 1 of the form was completed.

### 3.3 Section 9: Installation Information

Section 9 provides a series of checkboxes to identify whether or not the authorized intercept was installed and used.

Was authorized Intercept installed and used?	<b>9. Installation</b>		
	<input type="checkbox"/> Never Installed	<input type="checkbox"/> Installed but Not Used	<input type="checkbox"/> Installed and Used

**Never Installed:** Select this option in situations where neither a wiretap nor other interception was ever installed, even though a wiretap order was issued. If this option is selected, Sections 10, 11 and 12 are not required and you can go immediately to Section 13 on the form.

**Installed but Not Used:** Select this option in situations where an authorized wiretap was installed, but not used during the course of the investigation. If this option is selected, Sections 10 is not required and you can go immediately to Section 11 on the form.

**Installed and Used:** This option covers the most common situation, in which an authorized wiretap was installed and used in the course of an investigation.

### 3.4 Section 10: Description of Intercepts

10. Description of Intercepts				
10A. Termination Date of Interception <input type="text"/>	10B. No. of Days in Actual Use <input type="text"/>	10C. No. of Communications Intercepted <input type="text"/> <input type="checkbox"/> Unknown	10D. No. of Persons Whose Comm. Were Intercepted <input type="text"/> <input type="checkbox"/> Unknown	10E. No. of Incriminating Comm. Intercepted <input type="text"/> <input type="checkbox"/> Unknown
10F. Was Encryption Encountered in this Wiretap? <input type="checkbox"/> Yes <input type="checkbox"/> No		10G. If Yes, Did Encryption Prevent Law Enforcement from Obtaining the Plain Text of Communications Intercepted? <input type="checkbox"/> Yes <input type="checkbox"/> No		

**TIP → Section 10 is only available if the Installed and Used option in Section 9 is selected. Otherwise you will not be able to enter any information in Section 10.**

**10A. Termination Date of Interception:** The date the installed wiretap ceased operations. If this WT-2 report includes multiple intercepts, report the termination date of the last active intercept. This date should be entered in MM/DD/YYYY format. Logically, the termination date should **NOT** be more than the *Total Days Authorized* reported in Section 6 in Part 1. If the termination date is greater than the reported *Total Days Authorized*, please verify the termination date is correct or add any approved extensions not listed in Section 6.

**10B. No. of Days in Actual Use:** The total number of days that the target actually used the device(s) covered by the order. Logically, the days in use should not be greater than the *Total Days Authorized* reported in Section 6 in Part 1.

**10C. No. of Communications Intercepted:** The total number of communications intercepted while the wiretap was in use. Count each communication and uninterrupted conversation separately.

**10D. No. of Persons Whose Communications Were Intercepted:** The approximate number of unique individuals involved in intercepted communications. This includes all parties involved in communication; an individual who was involved in multiple captured communications should only be counted as one unique person.

*TIP → If you do not know answers to 10C or 10D when completing the WT-2, please select the Unknown checkboxes rather than entering 0 or leaving these fields blank.*

**10E. No. of Incriminating Communications Intercepted:** The total number of intercepted communications that could be used as evidence in the investigation.

**10F. Was Encryption Encountered:** This ‘Yes’ or ‘No’ question indicates whether encryption was encountered with the intercepted communications.

**10G. Did Encryption Prevent Law Enforcement from Obtaining the Plain Text:** You are required to answer this ‘Yes’ or ‘No’ question if the answer in 10F identified that encryption was encountered.

### 3.5 Section 11: Costs of Wiretaps

*TIP → Section 11 is not available if the Never Installed option in Section 9 is selected.*

Identify if cost information is being reported on this form	<b>11. Cost (Rounded to Nearest Dollar)</b>				
	Check the option that applies:				
	<input type="checkbox"/> Costs for this wiretap are reported below.				
	<input type="checkbox"/> Costs for this wiretap are included on another wiretap form with the following reference number.				
	Reference Number Type:		Reference Number:		
	<input type="checkbox"/> Costs for this wiretap are unknown at this time.				
11A through D required only if Cost for this wiretap are reported below is selected	11A. Nature and Quantity of Personnel Used to Install, Monitor, and Prepare Transcripts				
	11B. Personnel Cost	+	11C. Resource Cost (installation fees, supplies, equipment, etc.)	=	11D. Total Cost = Personnel Cost + Resource Cost
	\$		\$		\$

First identify whether cost information about the wiretap is being reported on this form. You may choose from one of three choices:

- Costs for this wiretap are reported below;
- Costs for this wiretap are included on another wiretap form;
- Costs for this wiretap are unknown at this time.

**TIP → If you can only provide combined costs for two or more related wiretaps, please do not report the same cost data on both WT-2 Part 2 reports. The combined costs should be reported on the first WT-2 report for wiretap A, and all related WT-2 reports should reference the WT-2 for wiretap A using the ‘Costs for this wiretap are included on another wiretap form’ check box in Section 11.**

**Costs for this wiretap are reported below:** When selected, you will be required to enter cost information in fields 11A through 11C.

11. Cost (Rounded to Nearest Dollar)				
Check the option that applies:				
<input checked="" type="checkbox"/> Costs for this wiretap are reported below.				
<input type="checkbox"/> Costs for this wiretap are included on another wiretap form with the following reference number.				
Reference Number Type:		Reference Number:		
<input type="checkbox"/> Costs for this wiretap are unknown at this time.				
11A. Nature and Quantity of Personnel Used to Install, Monitor, and Prepare Transcripts				
11B. Personnel Cost		11C. Resource Cost (installation fees, supplies, equipment, etc.)	=	11D. Total Cost = Personnel Cost + Resource Cost
\$	+	\$		\$

**11A. Nature and Quantity of Personnel Used:** Provide a brief description (100 characters maximum) of the number and type of officers or other personnel used in installing and monitoring the wiretap equipment. This includes time spent preparing transcripts.

**11B. Personnel Costs:** Provide the approximate salary costs for the time spent by the personnel described under 11A above. Costs should be rounded to the nearest dollar.

**11C. Resource Costs:** Provide the approximate combined cost of: any supplies (including discs or tapes); equipment costs (including amortization of equipment, rental fees, or leasing fees); and fees related to installations done on a contractual basis.

**11D. Total Costs:** The form will automatically sum the Personnel Costs and Resource Costs provided in 11B and 11C. Total Costs will be rounded to the nearest dollar.

**Costs for this wiretap are included on another wiretap form:** Select this option in situations where you have consolidated costs for multiple, individually reported wiretaps. Rather than report the same cost data on each WT-2 report, you should report the consolidated costs on one WT-2 report and simply reference that report on all other associated WT-2 reports.

11. Cost (Rounded to Nearest Dollar)				
Check the option that applies:				
<input type="checkbox"/> Costs for this wiretap are reported below.				
<input checked="" type="checkbox"/> Costs for this wiretap are included on another wiretap form with the following reference number.				
Reference Number Type:		Select: Agency Court Prosecutor	Reference Number: <input type="text"/>	
<input type="checkbox"/> Costs for this wiretap are unknown at this time. (Future results should be reported on the WT-3 Supplementary Report)				
11A. Nature and Quantity of Personnel, and Prepare Transcripts				
11B. Personnel Cost	+	11C. Resource Cost (Installation fees, supplies, equipment, etc.)	=	11D. Total Cost = Personnel Cost + Resource Cost
\$		\$		\$

**Costs for this wiretap are unknown at this time:** Select this option in situations where you do not know the costs associated with the wiretap at the time the WT-2 is completed. If selected, proceed to Section 12 on the Part 2 form.

12. Results				
Check the option that applies:				
<input type="checkbox"/> Results for this wiretap are reported below.				
<input type="checkbox"/> Results for this wiretap are included on another wiretap form with the following reference number.				
Reference Number Type:		Reference Number:		
<input checked="" type="checkbox"/> Results for this wiretap are not known at this time. (Future results should be reported on the WT-3 Supplementary Report)				
12A1. No. of Persons Arrested	12A2. Arrest Offense (Most Serious):		12B. No. of Motions to Suppress	
			Granted	Denied
				Pending
12C. No. of Persons Convicted	12D. No. of Trials Completed	12E. Conviction Offense (Most Serious):	12F. Title/Section of Conviction Offense:	

**TIP →** If cost data is not available at the time that the WT-2 report is completed, you should report any cost information, obtained later, on a WT-3 supplementary report form.

### 3.6 Section 12: Results of Wiretap & Investigation

**TIP →** Section 12 is not available if the Never Installed option in Section 9 is selected.

12. Results				
Identify if information on results of the investigation are being reported on this WT-2 report	Check the option that applies:			
	<input type="checkbox"/> Results for this wiretap are reported below.			
	<input type="checkbox"/> Results for this wiretap are included on another wiretap form with the following reference number.			
Reference Number Type:		Reference Number:		
<input type="checkbox"/> Results for this wiretap are not known at this time. (Future results should be reported on the WT-3 Supplementary Report)				
12A1. No. of Persons Arrested	12A2. Arrest Offense (Most Serious):		12B. No. of Motions to Suppress	
			Granted	Denied
				Pending
12C. No. of Persons Convicted	12D. No. of Trials Completed	12E. Conviction Offense (Most Serious):	12F. Title/Section of Conviction Offense:	

12A1 through E required only if Results for this wiretap are reported below is selected

Identify whether information on the results of the investigation related to the wiretap is being reported on this WT-2 Part 2 report. You may choose from one of three choices:

- Results for this wiretap are reported below;
- Results for this wiretap are included on another wiretap form;
- Results for this wiretap are unknown at this time.

**TIP → If results of an investigation stem from two or more related wiretaps, please do not report the same results on both WT-2 Part 2 reports. The related results should be reported on the first WT-2 report for wiretap A, and all related WT-2 reports should reference the WT-2 for wiretap A using the ‘Results for this wiretap are included on another wiretap form’ check box in the results section.**

**Results for this wiretap are reported below:** When selected, you will be required to enter information on the results (arrests, convictions, trials, etc.) of a wiretap or interception in fields 12A through 12E.

12. Results			
Check the option that applies:			
<input checked="" type="checkbox"/> Results for this wiretap are reported below.			
<input type="checkbox"/> Results for this wiretap are included on another wiretap form with the following reference number.			
Reference Number Type:		Reference Number:	
<input type="checkbox"/> Results for this wiretap are not known at this time. <i>(Future results should be reported on the WT-3 Supplementary Report)</i>			
12A1. No. of Persons Arrested	12A2. Arrest Offense (Most Serious):		12B. No. of Motions to Suppress
			Granted   Denied   Pending
12C. No. of Persons Convicted	12D. No. of Trials Completed	12E. Conviction Offense (Most Serious):	12F. Title/Section of Conviction Offense:

**12A1. No. of Persons Arrested:** Provide the total number of persons arrested, excluding any fugitives.

**12A2. Arrest Offense (Most Serious):** If at least one person was arrested (as indicated in 12A1), then select the nature of the most serious arrest offense from the predefined drop down menu.

**TIP → When arrest includes two or more types of offenses, then the offense with the maximum statutory sentence is to be classified as the most serious. If two specified offenses have the same maximum statutory sentence, then a crime against a person takes priority over a crime against property.**

**12B. No. of Motions to Suppress:** Provide the number and status of motions to suppress evidence gained through the wiretap or interception. The total number of motions should equal the sum of Granted, Denied, and Pending motions.

**12C. No. of Persons Convicted:** Provide the total number of persons convicted, including those who pled guilty, as a result of the wiretap or interception. Please count each unique convicted defendant once.

**12D. No. of Trials Completed:** Provide the total number of completed trials resulting from the wiretap. This count should **NOT** include situation involving grand jury information or instances where a plea was taken during the trial.

**12E. Conviction Offense (Most Serious):** If at least one person was convicted (as indicated in 12C), then select the nature of the most serious convicted offense from the predefined drop down menu.

**12F. Title/Section of Convicted Offense:** When 12E. *Conviction Offense (Most Serious)* is ‘Conspiracy’, ‘Possession’, or ‘Other’; you will be required to enter the specific title and section of the most serious convicted offense. Otherwise, this field will be locked and will not allow title/section information to be entered.

**Results for this wiretap are included on another wiretap form:** Select this option in situations where arrests or other results stem from multiple wiretaps that are reported on different WT-2 Part 2 reports. Rather than report the same results on each WT-2 report, you should report the results on one WT-2 report and simply reference that report on all other associated WT-2 reports.

12. Results					
Check the option that applies:					
<input type="checkbox"/> Results for this wiretap are reported below.					
<input checked="" type="checkbox"/> Results for this wiretap are included on another wiretap form with the following reference number.					
Reference Number Type: Select:		Reference Number: <input type="text"/>			
<input type="checkbox"/> Results for this wiretap are not known at this time. (Future results should be reported on the WT-3 Supplementary Report)					
12A1. No. of Persons Arrested	12A2. Arrest Offense (Most Serious):	12B. No. of Motions to Suppress		Granted	Denied
					Pending
12C. No. of Persons Convicted	12D. No. of Trials Completed	12E. Conviction Offense (Most Serious):	12F. Title/Section of Conviction Offense:		

**Results for this wiretap are unknown at this time:** Select this option in situations where you do not know the results stemming from the wiretap. If selected, proceed to Section 13.

12. Results					
Check the option that applies:					
<input type="checkbox"/> Results for this wiretap are reported below.					
<input type="checkbox"/> Results for this wiretap are included on another wiretap form with the following reference number.					
Reference Number Type:		Reference Number:			
<input checked="" type="checkbox"/> Results for this wiretap are not known at this time. (Future results should be reported on the WT-3 Supplementary Report)					
12A1. No. of Persons Arrested	12A2. Arrest Offense (Most Serious):		12B. No. of Motions to Suppress		
			Granted	Denied	Pending
12C. No. of Persons Convicted	12D. No. of Trials Completed	12E. Conviction Offense (Most Serious):	12F. Title/Section of Conviction Offense:		

**TIP → If information of results is not available at the time that the WT-2 report is completed, you should report any results information, obtained later, on a WT-3 supplementary report form.**

### 3.7 Section 13: Comments and Assessment

13. Comments and Assessment	
Describe importance of the interceptions, drugs and money seizure amounts, impact on community, etc. <b>DO NOT</b> include target's name, address, phone numbers, name of gangs, or other sensitive information.	

Provide a brief comment (256 characters maximum) assessing the importance of the wiretap or interception, including: number of facilities or devices specified in the order; drug or monetary seizures; or other significant impacts on the community.

**Do NOT include any names, gang names, telephone numbers, addresses, or any other potentially identifying or sensitive information. The AOUSC is not authorized to collect this information.**

### 3.8 Section 13A: Report Prepared By

		13A. Report Prepared By			
Responsible Prosecutor's Name	Prosecutor Responsible for Part 2	Prosecutor's First Name:	Middle Initial:	Last Name:	Suffix: <input type="text"/>
Copy Name Check Box	<input type="checkbox"/> Check if Prosecutor and Report Preparer are the same person.	Report Preparer's First Name:	Middle Initial:	Last Name:	Suffix: <input type="text"/>
Title & Contact Information	Report Preparer	Title:	Telephone No.:	Extension:	Date:

**Prosecutor Responsible for Part 2:** Provide the name of the Prosecutor assigned responsibility for preparing and submitting WT-2 Part 2 (Prosecutor’s Report) the form.

**Report Preparer:** Please enter your name, title, and telephone number as the person who actually prepared Part 2 of the WT-2 PDF form on behalf of the responsible prosecutor. Please also include the date Part 2 of the WT-2 was completed.

**Check if Prosecutor and Report Preparer are the same person:** In situations where the responsible prosecutor is preparing the WT-2 form, simply select the ‘Check if Prosecutor and Report Preparer are the same person’ check box and the responsible prosecutor’s name will be automatically copied into the Report Preparer sections of the Part 2.



### 3.9 WT-2 – Part 2: Validating, Saving and Submitting the Prosecutor’s Report

The following information is specifically for prosecutors. Judges and court staff submitting Part 1 only should refer to the directions in 2.13 Part 1: Validating, Saving and Submitting the Judge’s Report, found on page 13.

Prosecutors are responsible for submitting both Part 1 and Part 2 of the WT-2 form for a wiretap application. The final steps in completing a WT-2 report are to:

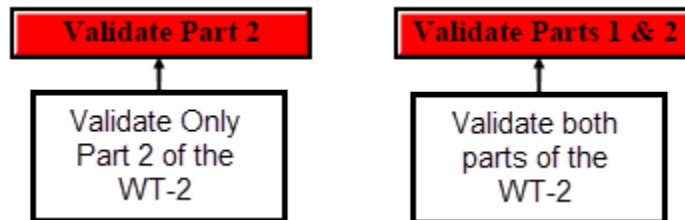
- Validate the Part 2 Prosecutor’s Report and Part 1 Judge’s Report;
- Save a copy of the PDF with a unique name;
- Send or submit the completed WT-2 report to the Law Enforcement Agency Contact who will be responsible for reviewing and then submitting the forms to the DOJ’s Office of Enforcement Operations (OEO) for final review.
- WT-2 Part 2 forms should NOT be sent directly to the AOUSC.

The PDF form provides utility buttons at the bottom of the forth page to assist with these tasks.

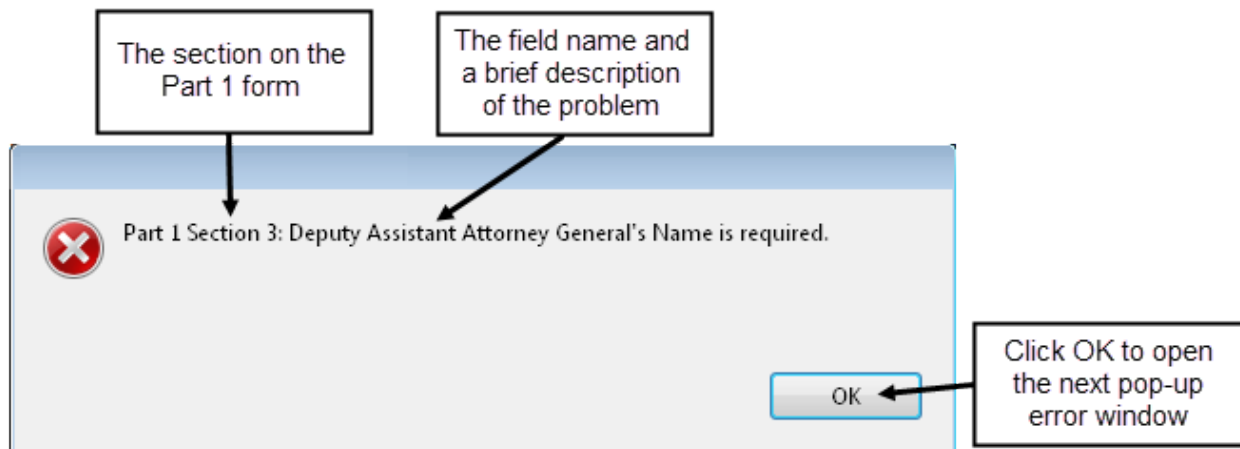


#### 3.9.1 Validating the WT-2 Report Form

The *Validate Part 2* and *Validate Parts 1 & 2* buttons allow you to double check that all required fields have been entered on the Prosecutor’s Report or the entire WT-2 form.



Clicking the validation buttons checks each required field on the respective parts of the WT-2 report. *Validate Part 2* checks fields only on Part 2 (page 3 and 4) and *Validate Parts 1 & 2* checks fields on the entire WT-2 form Part 1 and Part 2. Any identified validation errors will be presented one at a time as a series of pop-up error messages that indicate the section and field where the error was found and provide a brief description of the problem.



**TIP** → Since there may be multiple error pop-up messages, it is a good practice to write down both the section and field name prior to clicking the OK button and opening the next error message.

### 3.9.2 Saving Fully & Partially Completed WT-2 Part 2 Prosecutor's Report Forms

When filling out multiple WT-2 Part 2 Prosecutor's Reports, it is crucial to save each report under a unique file name. Otherwise, there is a risk of overwriting a completed form or overwriting a completed Part 1 form sent to you from a court.

The 'Save As' utility is part of the PDF reader and can be accessed through either the *Save As* button or through the File menu on the PDF reader.

**TIP** → Using a standard naming convention may prove helpful in quickly differentiating between different WT-2 reports. One scheme might be to use the judge's name, prosecutor's name, investigating agency and the date of the original application. For example, 'WT2\_HarperSmithDEA011214\_Pt2' could describe a WT-2 Part 2 report related to an application put before Judge Harper by Prosecutor Smith for the DEA on Jan 12<sup>th</sup>, 2014.

### 3.9.3 Submitting WT-2 Report Forms

The final step for a prosecutor completing a WT-2 Part 2 report is to email the full WT-2 report to the Law Enforcement Agency Contact. After reviewing the WT-2 forms, the Law Enforcement Agency Contact should send the WT-2 forms to the DOJ's Office of Enforcement Operations for final review. WT-2 Part 2 forms should NOT be sent directly to the AOUSC.