

RESEARCH IN BRIEF

Communication Intercepts Authorized in Nevada, 1997-2008

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Law enforcement agencies throughout the country use a variety of tools to combat crime. Among the resources available to them are court issued communication intercepts, which are commonly referred to as wiretaps. Over the past several years, a growing number of communication intercepts have been issued at both the Federal and State level. Between 1997 and 2008, for example, 17,769 intercepts were issued throughout the United States. These intercepts resulted in 47,254 arrests and 8,826 convictions—at a cost of nearly \$1 billion.

This state data brief examines communication intercepts issued in Nevada, including the prevalence of intercepts issued, trends over time, and their impact in terms of associated arrests, convictions, and cost. National and county-level comparisons are made throughout the brief. Data sources and limitations are also discussed.

Prevalence of Intercepts

From 1997-2008, 18,767 wire, oral, or electronic communication intercepts were authorized by state and Federal courts. Of these, 17,769 wiretaps were installed. During this time period, 149 communication intercepts were installed in Nevada.

From 1997-2008, an average of 5.4 wiretaps per 10,000 state residents were authorized in Nevada. This rate ranks Nevada 5th highest in the United States—above 9th-ranked Arizona (2.4 per 10,000) but slightly below 4th-ranked California (5.9 per 10,000) (Table 1).

Intercepts Authorized Over Time

Nevada averaged over 12 wiretap authorizations per year in the twelve-year period from 1997-2008.ⁱ In Nevada, the annual rate (per 10,000 population)

HIGHLIGHTS

- A total of 149 communication intercepts were installed in Nevada.
- In 2008, Nevada's per capita rate of communication intercepts authorized was 5th highest in the country.
- Nevada's rate of authorized communication intercepts fluctuated over time, with a sharp increase in 2007, and a four-fold increase between 2006 and 2008.
- Eighty-seven percent of communication intercepts installed in Clark County are wiretaps.
- From 1997-2008, Clark County spent less than half of the national average per installed communication intercept, but doubled the national average for cost per arrest.
- During the past 12 years, Clark County reported a total of 73 arrests and 14 convictions based on information obtained via communication intercepts.
- Clark County is below the national average in conviction percentage, arrests made per intercept installed, and average number of convictions per intercept installed.

fluctuated greatly over time. In 2008, the wiretap rate was 18.5 authorizations per 10,000; whereas in 2005, the rate was 1.2 (Figure 1). Rates in other states in the region, like California, have followed a similar pattern; whereas in other states, like Arizona, the pattern has remained more constant. Compared to the national trend, between 1997-2008, variations in the rate of wiretaps authorized in Nevada over the past several years have been more varied.

Table 1. Ranked average number of communication intercepts ordered, per 10,000 state residents, 1997-2008.

New York	20.00
New Jersey	14.50
Maryland	8.40
California	5.90
Nevada	5.40
National Average	5.10
Pennsylvania	3.90
Florida	3.60
Colorado	3.40
Arizona	2.40
Illinois	2.40

Source: *US Courts Wiretap Reports 1997-2008* and *US Census Bureau*.

Table 2. Communication intercepts installed nationally and in Clark County, Nevada, 1997-2008.

Type of intercept	Nationally	Clark Co.
Wire	82.7%	86.7%
Electronic	10.3%	2.5%
Oral	2.5%	2.5%
Combination	4.5%	8.3%

Source: *US Courts Wiretap Reports, 1997-2008*.

machines, etc) is considerably less common in Clark County (2.5% vs. 10.3%), while the use of a combination of intercepts was nearly twice as likely in Clark County than seen nationally (8.3% vs. 4.5%).

Types of Intercept used in Clark County

The most common type of communication interception in Nevada's largest county, Clark County, is the wiretapping of telephones (landline, cellular, etc). Of the 120 communication intercepts installed in Clark County from 1997-2008, 104 (87%) were wiretaps (Table 2).

The prevalence of wiretaps installed in Clark County is slightly higher than the national average (87% vs. 83%), while the use of oral intercepts (microphone, eavesdropping, etc) is similar (2.5% vs. 2.5%).

The use of electronic intercepts (computers, fax

Cost of Intercept

From 1997-2008, nearly \$1 billion was spent on communication intercepts. This figure translates into an average cost of \$55,277 per intercept installed, \$20,624 per arrest, and \$112,888 per conviction. During that same period, Clark County averaged less than half of the national average per intercept installed (\$27,491), but doubled the national average for cost per arrest (\$45,745) and spending more per conviction (\$133,463).

When compared to other jurisdictions in the Western United States, Clark County spent less per intercept installed and per conviction than Los Angeles County, California (\$43,047 and \$480,925) or Maricopa County, Arizona (\$223,132 and \$252,888) (Table 3).

Arrest and Conviction Rates

In the past 12 years, nationally, 47,254 arrests and 8,825 convictions have been reported as a result of the use of communication intercepts. Clark County reported a total of 73 arrests and 14 convictions during the same time. When compared to national averages, Clark County trails in conviction percentage (18.9% vs. 14.2%), arrests made per intercept installed (2.7 vs. .7), and average number of convictions per intercept installed (.51 vs. .12).

Wiretap rates by jurisdiction, 1997-2008.

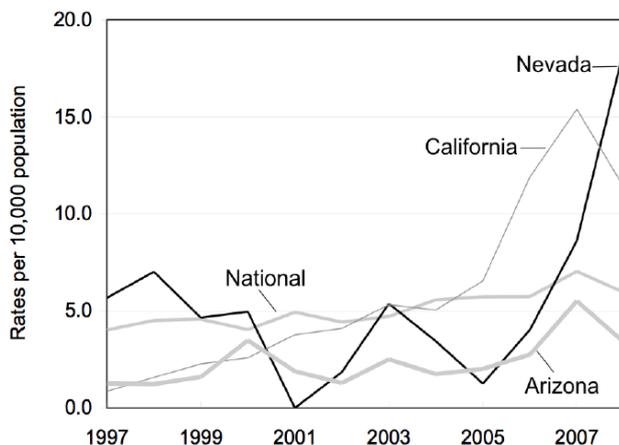


Table 3. Average cost of intercept order, and corresponding arrests and convictions, by jurisdiction, 1997-2008.

	Average cost per--		
	Order	Arrest	Conviction
Total	\$55,277	\$20,624	\$112,888
Federal Gov.	\$71,969	\$19,492	\$151,736
Clark Co.	\$27,491	\$45,745	\$133,463
Los Angeles Co.	\$43,048	\$56,455	\$484,833
Mariopa Co.	\$223,132	\$26,720	\$252,888

Source: *US Courts Wiretap Reports, 1997-2008.*

Data Source and Limitations

The communication intercept data for this state data brief was obtained from the United States Federal Courts annual wiretap reports, 1997-2008. These reports include data from all U.S. states that have statutes authorizing communication intercepts, the U.S. Virgin Islands, and the District of Columbia.ii Of the reporting jurisdictions, seven states reported no installation orders of communication intercepts in the 12 years that U.S. Courts have been collecting data. In 2001, Nevada did not report any wiretap information to the U.S. Courts. This lack of data could have lead to minor fluctuations in averages for both the State of Nevada, and Clark County. In addition, Clark County was the only county that consistently reported data over the time period for the state of Nevada.

Population data for this report is based on census data and estimates from the U.S. Census Bureau. Since the national census is only conducted once every 10 years (last census was conducted in 2000), the data in the brief is based on population estimates calculated by the Census Bureau. As a result, population estimates could lead to slight variations in per capita calculations.

References

United States Census Bureau, Population Estimates, 1997-2008. Retrieved on July 1st, 2009 from <http://www.census.gov/popest/states/>

United States Federal Courts System, Wiretap Reports, 1997-2008. Retrieved on July 1st, 2009 from <http://www.uscourts.gov/library/wiretap.html>

END NOTES

- i. In 2001, Nevada did not report any wiretap information to the U.S. Courts.
- ii. Alabama, Arkansas, Kentucky, Michigan, Montana, and Vermont do not have statutes authorizing communication intercepts.

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STATE DATA BRIEF SERIES

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CONTACT INFORMATION

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