



**TIMOTHY J. SHUGRUE**  
DISTRICT ATTORNEY

# The Commonwealth of Massachusetts

BERKSHIRE DISTRICT ATTORNEY



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24 Beacon Street  
Room 335 – State House  
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House Clerk Timothy Carroll  
Office of the Clerk of the House  
24 Beacon Street  
Room 145 – State House  
Boston, MA 02133

Re: Annual Report on Interceptions of Communications for Calendar Year 2020

Dear Sirs:

Pursuant to G.L. c. 272, § 99R, I hereby submit this report to the General Court on behalf of the Berkshire District Attorney's Office for the 2020 calendar year.

## **1. Number of Applications for Warrants**

The total number of applications made to justices of the Superior Court for warrants pursuant to G.L. c. 272, § 99, authorizing the interception of oral, wire, data and electronic communications during the 2020 calendar year was: **5**

## **2. Name of Applicant**

All applications were submitted under the name of District Attorney Andrea Harrington, as well as through her designated Assistant District Attorneys.

## **3. Number of Warrants Issued**

The total number of warrants issued pursuant to these applications during the 2020 calendar year was: **5**

**4. Effective Period for Warrants**

The effective period for the warrants issued was from **September 15, 2020**, to **November 2, 2020**.

**5. Number and Designation of Offenses**

The warrants were sought to discover evidence of “possession or sale of a narcotic or harmful drug” as defined in G.L. c. 272, § 99(B)(7), including trafficking fentanyl and/or heroin in violation of G.L. c. 94C, § 32E(c), trafficking cocaine and/or methamphetamine in violation of G.L. c. 94C, § 32E(b), the distribution and/or possession with the intent to distribute such controlled substances in violation of G.L. c. 94C, §§ 32, 32A, and the conspiracy to violate the Controlled Substances Act in violation of G.L. c. 94C, § 40.

**6. Number of Renewals:**

The total number of renewals for all warrants was: **3**

**7. Number of Interceptions:**

The total number of pertinent interceptions made during the 2020 calendar year was: **7,468**

**8. Number of Indictments:**

The total number of indictments believed to be obtained because of these interceptions was:

**38 indictments were returned against 7 individual defendants**

**9. Number of Criminal Convictions:**

To date, seven (7) defendants have pleaded guilty to seventeen (17) charges arising from the wiretap investigation described above, to charges including Conspiracy to Traffic Cocaine (over 200 grams), Trafficking Cocaine, Possession of Heroin/Fentanyl with Intent to Distribute, Possession of Cocaine with Intent to Distribute, and Illegal Possession of a Firearm. No defendant has yet elected to proceed to trial. The only case that remains pending in the Berkshire Superior Court is one where the defendant has plead guilty but is currently in warrant status after failing to appear on the scheduled day of execution of sentence.

If you have any questions, please do not hesitate to contact us.

Very truly yours,

  
Marianne Shelvey  
First Assistant District Attorney