

**Report of the Director of the Administrative Office
of the United States Courts
on Applications for Delayed-Notice Search Warrants and Extensions**

The USA Patriot Improvement and Reauthorization Act of 2005 requires the Director of the Administrative Office of the United States Courts (AO) to transmit to Congress annually a full and complete report summarizing information reported by judges to the AO on delayed-notice search warrants. The report is to include the number of applications for warrants and extensions of warrants authorizing delayed notice and the number of such warrants and extensions granted or denied during the preceding fiscal year. The requirement to report this information to Congress began with the fiscal year ended September 30, 2007.

This report covers applications for delayed-notice search warrants and extensions between October 1, 2012, and September 30, 2013.

Reporting Requirements of the Statute

Any federal or state judge who issues or denies a federal warrant authorizing delayed notice, or an extension of such a warrant, is required to file a report on the warrant with the AO (18 U.S.C. § 3103a(d)(1)). This report is to be furnished not later than 30 days after the expiration of the warrant's notice period (including any extensions to the notice period) or 30 days after the denial of the warrant or the request for extension. The report must include the offense specified in the warrant or application, the period of delay authorized, the number and duration of any extensions, and the action taken on the application.

The AO is required to report annually to Congress on the information submitted by judges for the preceding fiscal year. This report must include the number of applications for delayed-notice search warrants and extensions and the number of warrants and extensions granted or denied (18 U.S.C. § 3103a(d)(2)).

Summary and Analysis of Reports for Fiscal Year 2013

Summary data on applications for delayed-notice search warrants and extensions for fiscal year 2013 are shown in Table 1. A total of 6,480 warrant requests and 4,649 requests for extensions were reported for the fiscal year ended September 30, 2013. Eleven of the applications reported (nine initial requests and two extensions) were denied, 66 of the applications (43 initial requests and 23 extensions) were granted as modified, and the rest were granted as requested.

Judges in 91 federal judicial districts reported actions on applications for delayed-notice search warrants or extensions. The highest numbers of applications were reported by judges in the Southern District of California (1,035), the Southern District of Texas (726), the District of Kansas (555), and the District of Arizona (542); applications in these four districts accounted for over a quarter of all applications reported. Of the 11,129 applications reported by all districts, 10,863 (98 percent) were reported by federal magistrate judges, and 266 were reported by federal district judges. No applications were reported by state judges.

The periods of delay specified ranged from 1 day to 546 days. The most frequently reported period of delay was 90 days, specified in 5,191 (47 percent) of the applications that were granted. (See Graph 1.) Extensions to the period of delay numbered from 1 to 26, with 2 being the most frequently reported extension number. (See Graph 2.)

Offenses

Table 2 presents the types of offenses specified in delayed-notice search warrant and extension requests reported in 2013. Drug offenses were specified in 84 percent of applications reported, followed by fraud (4 percent) and sex offenses (2 percent).

Table 1. Delayed-notice warrant and extension requests - fiscal year 2013

	Total requests	Average delay (in days)	Warrant requests	Granted	Granted as modified	Denied	Extension requests	Granted	Granted as modified	Denied
ALL CIRCUITS	11,129	64	6,480	6,428	43	9	4,649	4,624	23	2
DC CIRCUIT	13	52	12	12	0	0	1	1	0	0
DISTRICT OF COLUMBIA	13	52	12	12	0	0	1	1	0	0
FIRST CIRCUIT	655	51	434	420	11	3	221	221	0	0
MAINE	50	61	23	23	0	0	27	27	0	0
MASSACHUSETTS	300	54	190	190	0	0	110	110	0	0
NEW HAMPSHIRE	71	62	32	31	0	1	39	39	0	0
RHODE ISLAND	69	59	38	38	0	0	31	31	0	0
PUERTO RICO	165	32	151	138	11	2	14	14	0	0
SECOND CIRCUIT	634	37	534	530	3	1	100	98	2	0
CONNECTICUT	10	90	2	2	0	0	8	8	0	0
NEW YORK (NORTHERN)	6	41	6	6	0	0	0	0	0	0
NEW YORK (EASTERN)	96	43	77	75	2	0	19	18	1	0
NEW YORK (SOUTHERN)	456	34	414	412	1	1	42	42	0	0
NEW YORK (WESTERN)	49	43	27	27	0	0	22	21	1	0
VERMONT	17	58	8	8	0	0	9	9	0	0
THIRD CIRCUIT	271	46	217	216	1	0	54	54	0	0
DELAWARE	20	39	17	17	0	0	3	3	0	0
NEW JERSEY	46	65	28	28	0	0	18	18	0	0
PENNSYLVANIA (EASTERN)	9	40	5	5	0	0	4	4	0	0
PENNSYLVANIA (MIDDLE)	134	35	133	132	1	0	1	1	0	0
PENNSYLVANIA (WESTERN)	61	60	34	34	0	0	27	27	0	0
VIRGIN ISLANDS	1	45	0	0	0	0	1	1	0	0
FOURTH CIRCUIT	699	44	554	554	0	0	145	135	10	0
MARYLAND	452	43	379	379	0	0	73	73	0	0
NORTH CAROLINA (EASTERN)	10	42	6	6	0	0	4	4	0	0
NORTH CAROLINA (MIDDLE)	19	45	18	18	0	0	1	1	0	0
NORTH CAROLINA (WESTERN)	58	37	49	49	0	0	9	9	0	0
SOUTH CAROLINA	72	57	42	42	0	0	30	30	0	0
VIRGINIA (EASTERN)	60	45	33	33	0	0	27	17	10	0

	Total requests	Average delay (in days)	Warrant requests	Granted	Granted as modified	Denied	Extension requests	Granted	Granted as modified	Denied
VIRGINIA (WESTERN)	18	38	17	17	0	0	1	1	0	0
WEST VIRGINIA (NORTHERN)	-	-	-	-	-	-	-	-	-	-
WEST VIRGINIA (SOUTHERN)	10	30	10	10	0	0	0	0	0	0
FIFTH CIRCUIT	1,497	70	873	855	16	2	624	623	1	0
LOUISIANA (EASTERN)	46	40	41	40	1	0	5	5	0	0
LOUISIANA (MIDDLE)	23	56	15	15	0	0	8	8	0	0
LOUISIANA (WESTERN)	42	43	33	33	0	0	9	9	0	0
MISSISSIPPI (NORTHERN)	-	-	-	-	-	-	-	-	-	-
MISSISSIPPI (SOUTHERN)	16	39	14	14	0	0	2	2	0	0
TEXAS (NORTHERN)	247	48	199	199	0	0	48	48	0	0
TEXAS (EASTERN)	35	47	23	23	0	0	12	12	0	0
TEXAS (SOUTHERN)	726	87	356	340	15	1	370	369	1	0
TEXAS (WESTERN)	362	61	192	191	0	1	170	170	0	0
SIXTH CIRCUIT	1,402	59	804	799	5	0	598	595	3	0
KENTUCKY (EASTERN)	13	37	10	10	0	0	3	2	1	0
KENTUCKY (WESTERN)	215	65	82	82	0	0	133	133	0	0
MICHIGAN (EASTERN)	495	64	242	240	2	0	253	252	1	0
MICHIGAN (WESTERN)	23	51	15	12	3	0	8	7	1	0
OHIO (NORTHERN)	214	67	142	142	0	0	72	72	0	0
OHIO (SOUTHERN)	309	47	220	220	0	0	89	89	0	0
TENNESSEE (EASTERN)	42	36	40	40	0	0	2	2	0	0
TENNESSEE (MIDDLE)	53	44	33	33	0	0	20	20	0	0
TENNESSEE (WESTERN)	38	65	20	20	0	0	18	18	0	0
SEVENTH CIRCUIT	584	77	322	321	1	0	262	262	0	0
ILLINOIS (NORTHERN)	4	53	3	3	0	0	1	1	0	0
ILLINOIS (CENTRAL)	24	59	16	15	1	0	8	8	0	0
ILLINOIS (SOUTHERN)	224	82	44	44	0	0	180	180	0	0
INDIANA (NORTHERN)	84	41	67	67	0	0	17	17	0	0
INDIANA (SOUTHERN)	74	46	69	69	0	0	5	5	0	0
WISCONSIN (EASTERN)	150	102	114	114	0	0	36	36	0	0
WISCONSIN (WESTERN)	24	104	9	9	0	0	15	15	0	0

	Total requests	Average delay (in days)	Warrant requests	Granted	Granted as modified	Denied	Extension requests	Granted	Granted as modified	Denied
EIGHTH CIRCUIT	598	65	355	354	1	0	243	243	0	0
ARKANSAS (EASTERN)	19	39	16	16	0	0	3	3	0	0
ARKANSAS (WESTERN)	12	48	9	9	0	0	3	3	0	0
IOWA (NORTHERN)	6	30	6	6	0	0	0	0	0	0
IOWA (SOUTHERN)	35	48	25	24	1	0	10	10	0	0
MINNESOTA	151	81	87	87	0	0	64	64	0	0
MISSOURI (EASTERN)	87	84	28	28	0	0	59	59	0	0
MISSOURI (WESTERN)	151	56	80	80	0	0	71	71	0	0
NEBRASKA	104	43	75	75	0	0	29	29	0	0
NORTH DAKOTA	12	185	12	12	0	0	0	0	0	0
SOUTH DAKOTA	21	57	17	17	0	0	4	4	0	0
NINTH CIRCUIT	2,825	74	1,427	1,423	3	1	1,398	1,393	5	0
ALASKA	14	49	13	13	0	0	1	1	0	0
ARIZONA	542	72	210	210	0	0	332	330	2	0
CALIFORNIA (NORTHERN)	151	60	81	81	0	0	70	70	0	0
CALIFORNIA (EASTERN)	272	50	198	198	0	0	74	74	0	0
CALIFORNIA (CENTRAL)	213	69	122	122	0	0	91	91	0	0
CALIFORNIA (SOUTHERN)	1,035	88	434	433	0	1	601	599	2	0
HAWAII	39	90	39	39	0	0	0	0	0	0
IDAHO	7	54	6	6	0	0	1	1	0	0
MONTANA	11	60	6	6	0	0	5	4	1	0
NEVADA	92	62	47	47	0	0	45	45	0	0
OREGON	6	80	4	4	0	0	2	2	0	0
WASHINGTON (EASTERN)	145	75	87	84	3	0	58	58	0	0
WASHINGTON (WESTERN)	154	74	87	87	0	0	67	67	0	0
GUAM	144	57	93	93	0	0	51	51	0	0
NORTHERN MARIANAS	-	-	-	-	-	-	-	-	-	-
TENTH CIRCUIT	1,171	67	501	500	0	1	670	669	0	1
COLORADO	369	56	181	180	0	1	188	187	0	1
KANSAS	555	80	135	135	0	0	420	420	0	0
NEW MEXICO	172	48	132	132	0	0	40	40	0	0
OKLAHOMA (NORTHERN)	9	47	9	9	0	0	0	0	0	0
OKLAHOMA (EASTERN)	24	76	13	13	0	0	11	11	0	0
OKLAHOMA (WESTERN)	4	59	1	1	0	0	3	3	0	0
UTAH	18	38	17	17	0	0	1	1	0	0

	Total requests	Average delay (in days)	Warrant requests	Granted	Granted as modified	Denied	Extension requests	Granted	Granted as modified	Denied
WYOMING	20	78	13	13	0	0	7	7	0	0
ELEVENTH CIRCUIT	780	70	447	444	2	1	333	330	2	1
ALABAMA (NORTHERN)	94	70	41	41	0	0	53	53	0	0
ALABAMA (MIDDLE)	22	44	20	20	0	0	2	1	0	1
ALABAMA (SOUTHERN)	2	30	2	2	0	0	0	0	0	0
FLORIDA (NORTHERN)	30	67	30	30	0	0	0	0	0	0
FLORIDA (MIDDLE)	117	45	81	81	0	0	36	35	1	0
FLORIDA (SOUTHERN)	207	65	139	138	0	1	68	68	0	0
GEORGIA (NORTHERN)	270	88	113	111	2	0	157	156	1	0
GEORGIA (MIDDLE)	10	87	7	7	0	0	3	3	0	0
GEORGIA (SOUTHERN)	28	63	14	14	0	0	14	14	0	0

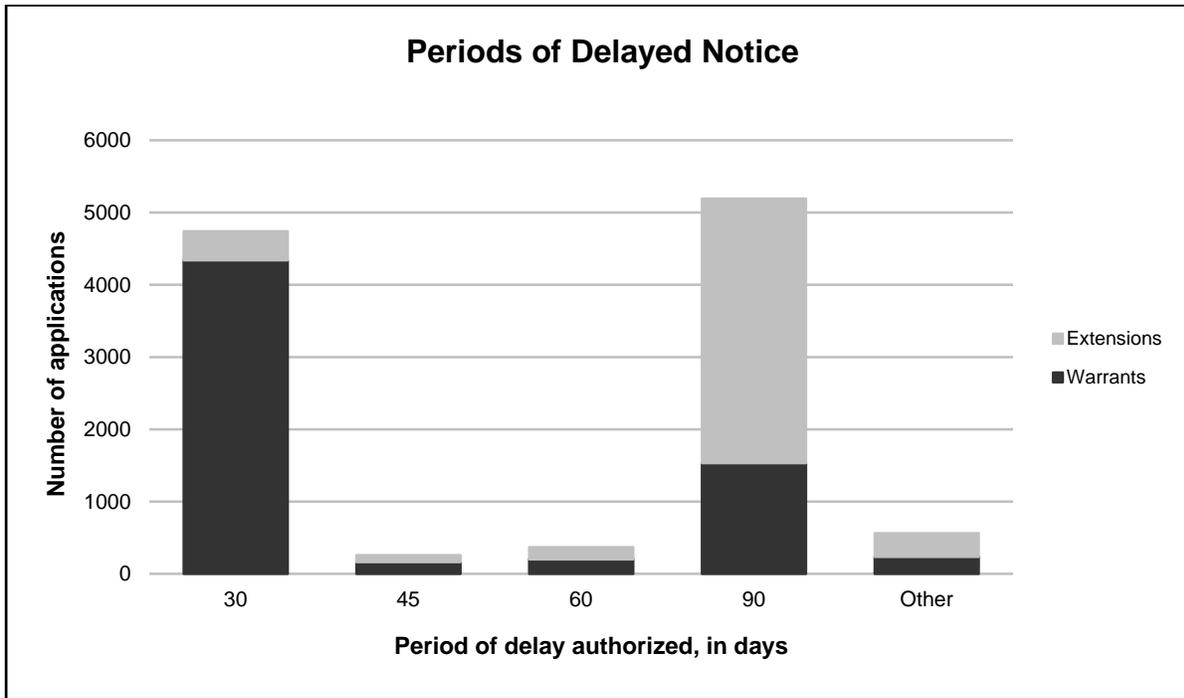
Table 2. Offenses specified for delayed-notice warrant and extension requests - fiscal year 2013

Offense	Reports		Warrants		Extensions	
	Number	Percent*	Number	Percent*	Number	Percent*
Total	11,129	100%	6,480	100%	4,649	100%
Drugs	9,401	84%	5,191	80%	4,210	91%
Fraud	452	4%	334	5%	118	3%
Sex Offenses	190	2%	158	2%	32	-
Extortion / Racketeering	166	-	111	2%	55	-
Immigration	156	-	103	2%	53	-
Fugitive / Escape	130	-	115	2%	15	-
Weapons	109	-	78	-	31	-
Theft	81	-	60	-	21	-
Terrorism	51	-	39	-	12	-
Smuggling/Contraband	39	-	30	-	9	-
Robbery	32	-	32	-	0	-
Conspiracy	31	-	25	-	6	-
Counterfeit	28	-	17	-	11	-
Tax	27	-	18	-	9	-
Murder	23	-	15	-	8	-
Espionage	21	-	3	-	18	-
Threats	20	-	19	-	1	-
Kidnapping	18	-	18	-	0	-
Wildlife	15	-	10	-	5	-
Forfeiture	14	-	6	-	8	-
IEEPA**	12	-	11	-	1	-
Gambling	10	-	8	-	2	-
Other	57	-	48	-	9	-
Unspecified	46	-	31	-	15	-

* Percentages not shown where the percentage is less than 2%.

** International Emergency Economic Powers Act, 50 U.S.C. §§ 1701-1707.

Graph 1. Periods of delayed notice - fiscal year 2013



Graph 2. Total numbers of extensions - fiscal year 2013

