

THE COMMONWEALTH OF MASSACHUSETTS MIDDLESEX DISTRICT ATTORNEY CYBER ENFORCEMENT UNIT OF THE CYBER PROTECTION PROGRAM 15 COMMONWEALTH AVENUE WOBURN, MA 01801

Tel: 781-897-6700 Fax: 781-897-6701

ADMINISTRATIVE SUBPOENA FOR RECORDS

January 20, 2011

ref: 2011-00

By Fax: (000) 000-0000 Internet Service Provider Attention: Custodian of Records Address City, State, Zip Code

This administrative subpoena is issued pursuant to Massachusetts General Laws Chapter 271, Section 17 B, in connection with a criminal investigation being conducted by the **Middlesex County District Attorney's Office**.

Please provide all available subscriber information and IP Login information for the following e-mail address:

Email address@internetserviceprovider.com

"SUBSCRIBER INFORMATION" IS DEFINED BY 18 U.S.C. § 2703 AS "THE NAME; ADDRESS; LOCAL AND LONG DISTANCE TELEPHONE CONNECTION RECORDS [ANI OR RADIUS LOGS], OR RECORDS OF SESSION TIMES AND DURATIONS; LENGTH OF SERVICE (INCLUDING START DATE) AND TYPES OF SERVICE UTILIZED; TELEPHONE OR INSTRUMENT NUMBER OR OTHER SUBSCRIBER NUMBER OR IDENTITY, INCLUDING ANY TEMPORARILY ASSIGNED NETWORK ADDRESS; AND MEANS AND SOURCE OF PAYMENT FOR SUCH SERVICE (INCLUDING ANY CREDIT CARD OR BANK ACCOUNT NUMBER)" OF A SUBSCRIBER. THIS SHALL INCLUDE ANY HISTORICAL OR CURRENT CUSTOMER INFORMATION RELATING TO ANY HARDWARE ADDRESS IDENTIFIED.

In order to protect the confidentiality and integrity of the ongoing criminal investigation, this office asks that you not disclose the existence of this request to the subscriber, as disclosure could impede the ongoing criminal investigation. Per Massachusetts General Laws Chapter 271, Section 17 B, no common carrier, or service provider, or employee thereof, shall be civilly or criminally responsible for furnishing any records or information in compliance with this request. Please provide the requested information to the undersigned, c/o Name, via e-mail at <u>emailaddress@agency.com</u> If these records are too voluminous to e-mail, please mail the records to:

Name Agency Address City, State, Zip Code

Sincerely yours,

Assistant District Attorney

ADMINISTRATIVE SUBPOENA REQUEST FORM FOR INTERNET RECORDS MIDDLESEX COUNTY DISTRICT ATTORNEY'S OFFICE CYBER PROTECTION PROGRAM

Please fax completed form and police report to ADA David Solet at (781) 897-6701.

Date: /	/20	Requesto	or:	1		Badge #:		
Police Depart	nent:			Unit/Bureau:				
Office Phone:				Fax:				
Cell Phone (if	applicable):			Email:				
Address:								
	Ple	ase provide	the following in	nformation rela	ative to the case	·		
Seeking:	Subscribe	r Informati	on 🗌 V	WHOIS Inform	nation (applies to	o websites only)		
For the:	IP Addres	SS	🗌 Email Ad	dress [Screen Name	Website		
Of:						<u></u>		
Date & Time (or range of dat	es & times):					
ISP (if known)	:		Fax:		ISP Contact:			
IF THIS IS AN EMERGENCY SITUATION, PLEASE CHECK BOX AT LEFT AND INDICATE NATURE OF EMERGENCY BELOW:								
<u> </u>			· .					
Please indicate below the nature of the offense and the link between the requested records and the offense:								
		. ·						
PLEASE ATTACH ALL RELEVANT POLICE REPORTS								
If this is a financial crime, please indicate the approximate dollar loss suffered by victim:								
(Below Area For Use by District Attorney's Office)								
Approved		Denied	ADA:	-	I	Date:		
Case Type:			Crime Type:					

2010-2011 ADMINISTRATIVE SUBPOENA (Phones) REQUEST FORM MIDDLESEX DISTRICT ATTORNEY'S OFFICE

P	lease f	fax	comp	leted	form	& j	police	rep	ort	to ('	781)	897-	8862

Date:	Requestor:		Badge #:
	Last	First	
Police Department:	Unit/Bureau:		
Telephone Number:	Fax Number:		
E-Mail Address:			
Address:			· · · ·

Complete This Section If You Are Seeking Information About a Telephone Number

Telephone Number: (if known)	Subscriber's Name: (if known)					
Location of Telephone:	Name of Telephone Company:					
(if known)	(if known)					
Chaoli Appliachla Davasa ***(Cannot obtain Text Message Content with an adminstrative subpoena***					
Check Applicable Boxes: ***(Seeking: Subscriber Information	Lannot obtain Text Message Content with an adminstrative subpoena					
Incoming and Outgoing Call Detail Reco	ords for the time period of / /20 to / /20					
Meening and Outgoing Can Detail Reco						
Under Chapter 271, §17B, whenever a DA has	reasonable grounds to believe that records in the possession of					
	al to an ongoing criminal investigation, the DA may issue an					
administrative subpoena demanding all such rec	cords in the possession of that telephone company, excluding content.					
	elief that the telephone or beeper is being used to commit a crime.					
<u>***T</u>	his section must be completed. ***					
Upon completion of summary please attach police report.						
For use by District Attorney's Office:						
Case Type/Crime Type						
Approved:						
Denied: ADA:	Date:					
· · · · · ·						
Notes:						

Handling of Administrative Subpoenas

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Yesterday, a new statute governing administrative subpoenas went into effect. Under Chapter 205 of the Acts of 2008, an ADA now may issue an administrative subpoena to obtain records from a common carrier or a provider of electronic communication services whenever there exists reasonable grounds to believe that the records are relevant and material to an ongoing investigation. It is preferable to limit the issuance of administrative subpoenas to the investigtive stage, before the defendant has been charged. After a defendant has been charged and there is court oversight of the case, you can seek a court order rather than use an administrative subpoena for such records. All requests for administrative subpoenas will continue to go through the PACT Unit. If police contact you seeking an administrative subpoena on a case in the investigative stage, please refer them to the PACT Unit, and John Verner or Dana Babbin can provide assistance depending on the nature of the underlying invest.

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