



GERARD T. LEONE JR.
DISTRICT ATTORNEY

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

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

ref: 2011-00

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 emailaddress@agency.com** **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	Requestor:	Badge #:
Police Department:		Unit/Bureau:
Office Phone:		Fax:
Cell Phone (if applicable):		Email:
Address:		

Please provide the following information relative to the case:

Seeking:	<input type="checkbox"/> Subscriber Information	<input type="checkbox"/> WHOIS Information (applies to websites only)		
For the:	<input type="checkbox"/> IP Address	<input type="checkbox"/> Email Address	<input type="checkbox"/> Screen Name	<input type="checkbox"/> Website
Of:				
Date & Time (or range of dates & times):				
ISP (if known):	Fax:	ISP Contact:		

<input type="checkbox"/>	IF THIS IS AN EMERGENCY SITUATION, PLEASE CHECK BOX AT LEFT AND INDICATE NATURE OF EMERGENCY BELOW:

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)
<input type="checkbox"/> Approved <input type="checkbox"/> Denied ADA: _____ Date: _____
Case Type: _____ Crime Type: _____

Handling of Administrative Subpoenas

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 investigative 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.**