

**RETRIEVABILITY:**

Records are retrieved by name of employee.

**SAFEGUARDS:**

Paper records are stored in metal filing cabinets and electronic records are stored on the Department's main frame computer. Access to the *Indiana* Building is protected by 24-hour guard service and is restricted to employees with official identification. Access to records is restricted to authorized personnel with official and electronic identification.

**RETENTION AND DISPOSAL:**

Files are maintained until the employee leaves the Department at which time paper records are destroyed and electronic records erased.

**SYSTEM MANAGERS AND ADDRESS:**

The system manager is the Procurement Executive, Justice Management Division, Department of Justice, *Indiana* Building, Room 542, 633 *Indiana* Avenue, NW., Washington, D.C. 20530.

**NOTIFICATION PROCEDURES:**

Direct inquiries to the system manager identified above, Attention: FOI/PA Officer. Clearly mark the letter and envelope "Freedom of Information/Privacy Act Request."

**RECORD ACCESS PROCEDURES:**

Make all requests for access in writing and clearly mark the letter and envelope "Freedom of Information/Privacy Act Request." Clearly indicate the name of the requester, nature of the record sought, approximate date(s) of the record(s); and, provide the required verification of identity (28 CFR 16.41(d)). Direct all requests to the system manager identified above, attention FOI/PA Officer; and, provide a return address for transmitting the information.

**CONTESTING RECORDS PROCEDURES:**

Direct all requests to contest or amend information to the system manager listed above. State clearly and concisely the information being contested, the reasons for contesting it, and the proposed amendment to the information sought. Clearly mark the letter and envelope "Freedom of Information/Privacy Act Request."

**RECORD SOURCE CATEGORIES:**

Information contained in the system is collected from the individual, training personnel, and general personnel records.

**SYSTEMS EXEMPTED FROM CERTAIN PROVISIONS OF THE ACT:**

None.

**JUSTICE/USA-003****SYSTEM NAME:**

Citizen Complaint Files.

**SYSTEM LOCATION:**

U.S. Attorney's Office: *Judiciary Center Bldg., 555 4th St. NW., Washington, D.C. 20001*; Executive Office for United States Attorneys; U.S. Department of Justice; 10th & Constitution Avenue, NW Washington, D.C. 20530

**CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:**

The individuals on whom records are maintained in this system may be broadly classified in four categories. (1) Those individuals who have been charged with Federal and D.C. Code violations; (2) those individuals who are currently under investigation for violations of Federal and D.C. Code; (3) those individuals about whom complaints have been made on upon whom investigations were conducted, but no prosecution was initiated; and (4) complainants.

**CATEGORIES OF RECORDS IN THE SYSTEM:**

A file may consist of a single sheet of paper describing briefly the nature of a complaint and its disposition or it may consist of a more comprehensive file containing the results of a hearing, depending on the complexity or seriousness of the complaint. If the complaint results in criminal charges being preferred, the contents of the file are transferred to the appropriate criminal file system.

**AUTHORITY FOR MAINTENANCE OF THE SYSTEM:**

5 U.S.C. 301, 28 U.S.C. 547 23 D.C. Code 101(c).

**ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:**

A record maintained in this system of records may be disseminated as a routine use of such record as follows:

(1) In any case in which there is an indication of a violation or potential violation of law, whether civil, criminal, or regulatory in nature, the record in question may be disseminated to the appropriate agency, federal, state, local, or foreign, charged with the responsibility of investigating or prosecuting such violation or charged with enforcement or implementing such laws;

(2) In the course of investigating the potential or actual violation of any law,

whether civil, criminal, or regulatory in nature, or during the course of a trial or hearing or the preparation for a trial or hearing for such violation, a record may be disseminated to a federal, state, local, or foreign agency, or to an individual, if there is reason to believe that such agency or individual possesses information relating to the investigation, trial, or hearing and the dissemination is reasonably necessary to elicit such information or to obtain the cooperation of a witness or an informant;

(3) Records or extracts thereof relating to case matters or matter may be disseminated to a defendant or his attorney or to the appropriate federal, state, local or foreign court or grand jury in accordance with established constitutional, substantive, or procedural law or practice;

(4) A record relating to a case or matter may be disseminated to a federal, state, or local administrative or regulatory proceeding or hearing in accordance with the procedures governing such proceeding or hearing;

(5) A record relating to a case or matter may be disseminated to an actual or potential party or his attorney for the purpose of negotiation or discussion on such matters as settlement of the case or matter, plea bargaining, or informal discovery proceedings;

(6) A record relating to a case or matter than has been referred for investigation may be disseminated to the referring agency to notify such agency of the status of the case or matter or of any decision or determination that has been made;

(7) A record relating to a person held arraignment, trial or sentence, or after conviction, may be disseminated to a federal, state, local, or foreign prison, probation, parole, bail or pardon authority, or to any agency or individual, concerned with the custody maintenance, transportation, or release of such person;

(8) A record relating to a case or matter may be disseminated to a foreign country pursuant to an international treaty or convention entered into and ratified by the United States;

(9) A record may be disseminated to a federal, state, local, or foreign law enforcement agency to assist in the general crime prevention and detection efforts of the recipient agency or to provide investigative leads to such agency;

(10) A record may be disseminated to a federal agency, in response to its request, in connection with the hiring or retention of an employee, the issuance of a security clearance, the reporting of an investigation of an employee, the

letting of a contract, or the issuance of a license, grant, or other benefit by the requesting agency, to the extent that the information relates to the requesting agency's decision on the matter;

(11) A record may be accessed by volunteer student workers and students working under a college work-study program, as is necessary to enable them to perform their function.

(12) Release of information to the news media: Information permitted to be released to the news media and the public pursuant to 28 CFR 50.2 may be made available from systems of records maintained by the Department of Justice unless it is determined that release of the specific information in the context of a particular case would constitute an unwarranted invasion of personal privacy.

(13) Release of information to Members of Congress. Information contained in systems of records maintained by the Department of Justice, not otherwise required to be released pursuant to 5 U.S.C. 552, may be made available to a Member of Congress or staff acting upon the Member's behalf when the Member or staff requests the information on behalf of and at the request of the individual who is the subject of the record and;

(14) Release of information to the National Archives and Records Administration (NARA) and the General Services Administration (GSA): A record from a system of records may be disclosed as a routine use to NARA and GSA in records management inspections conducted under the authority of 44 U.S.C. 2904 and 2906.

**POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:**

**STORAGE:**

Citizen complaint files are maintained in one of two ways; either on a single sheet which is a record of the complaint and disposition thereof or in complaints which result in further proceedings, a file folder would be established. *Some material is recorded and stored on magnetic tape, card or other data processing type storage matter for reproduction later into conventional formats and for management information purposes.*

**RETRIEVABILITY:**

Information is retrieved either by the name of a complainant, the name of a person about whom a complaint is registered or by a complaint number. If further proceedings are conducted with respect to a citizen's complaint and the complaint materializes into a criminal action, the file folder will become part of

the criminal files and then is retrievable in the same manner as any criminal file is retrieved. *Information may be accessed by means of cathode-ray tube terminals (CRT'S).*

**SAFEGUARDS:**

Information contained in the system is unclassified. It is safeguarded and protected by being maintained in files at the Citizens Complaint Center, and the Legal Services section of the Executive Office for United States Attorneys, which is manned at all times when it is open and at other times is locked. More sensitive files that materialize into hearings or require further action by the Misdemeanor Trial Section of the Superior Court Division, or the Executive Office for United States Attorneys, are maintained by the Chief of the Misdemeanor Trial Section in his office in Building B of the Superior Court, or the Assistant Director for legal Services, Executive Office for United States Attorneys in his safe. *Information that is retrievable by CRT's within various U.S. Attorneys' offices and the Executive Office for United States Attorneys require user identification numbers which are issued to authorized employees of the Department of Justice.*

**RETENTION AND DISPOSAL:**

Files are retained and disposed of in accordance with Title 3, U.S. Attorney's Manual.

**SYSTEM MANAGER(S) AND ADDRESS:**

Chief, Misdemeanor Trial Section: U.S. Attorney's Office; Superior Court Operations, 555 4th St. NW Washington, DC 20001; Director, Executive Office for United States Attorneys; U.S. Department of Justice; 10th & Constitution Avenue, NW Washington, DC 20530.

**NOTIFICATION PROCEDURE:**

Address inquiries to the System Manager.

**RECORD ACCESS PROCEDURE:**

The major part of these systems are exempt from this requirement under 5 U.S.C. 552a (j)(2),(k)1 and/or (k)(2). To the extent that this system is not subject to exemption, it is subject to access. A determination as to exemption shall be made at the time a request for access is received. A request for access to a record from this system shall be made in writing, with the envelope and the letter clearly marked "Privacy Access Request. Include in the request the general subject matter of the document or its file number. The requestor will also provide a return address for transmitting the information. Access

requests will be directed to the System Manager listed above.

**CONTESTING RECORD PROCEDURES:**

The major parts of these systems are exempt from this requirement under 5 U.S.C. 552a (j)(2),(k)(1) and/or (k)(2). To the extent that this system is not subject to exemption, it is subject to contest. A determination as to exemption shall be made at the time a request for contest is received. Individuals desiring to contest or amend information maintained in the system should direct their request to the System Manager listed above, stating clearly and concisely what information is being contested, the reasons for contesting it, and the proposed amendment to the information sought.

**RECORD SOURCE CATEGORIES:**

Sources of information contained in this system come primarily from citizens walking into this unit to register complaints. Sources also include but are not limited to investigative reports of federal, state and local law enforcement agencies, forensic reports, statements of witnesses and parties, as well as verbatim transcripts for grand jury proceedings and court proceedings, memoranda and reports from the court and agencies thereof and the work product of Assistant United States Attorneys and legal assistants working on particular cases.

**SYSTEMS EXEMPTED FROM CERTAIN PROVISIONS OF THE ACT:**

The Attorney General has exempted this system from subsections (c)(3) and (4), (d), (e)(1), (2) and (3), (e)(4)(G) and (H), (e)(5) and (8), (f), (g) and (h) of the Privacy Act pursuant to 5 U.S.C. 552a (j)(2) and (k)(1) and (2). Rules have been promulgated in accordance with the requirements of 5 U.S.C. 553 (b),(c) and (e) and have been published in the Federal Register.

**JUSTICE/USA—004**

**SYSTEM NAME:**

Citizen Correspondence Files.

**SYSTEM LOCATION:**

Executive Office for United States Attorneys, U.S. Department of Justice, 10th & Constitution Avenue, NW Washington, DC 20530.

**CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:**

(a) Individuals who write to the Executive Office for United States Attorneys, its Director or a member of his staff.

(b) Individuals who write to the Attorney General or the Department of Justice and whose letter is referred to