

SAFEGUARDS:

Information contained in the system is both unclassified and classified and is safeguarded and protected by being maintained in tumbler locked file safes in the Major Crimes Division which is manned during all times that it is open and at other times is locked. This room is located in the U.S. Courthouse which is guarded by the Federal Protective Service twenty four hours a day with roving patrols during non-working hours.

RETENTION AND DISPOSAL:

Files are retained and disposed of in accordance with Title 8, U.S. Attorney's Manual, pages 70-77

SYSTEM MANAGER(S) AND ADDRESS:

Chief, Major Crimes Division; U.S. Attorney's Office: *Judiciary Center Bldg., 555 4th Street, NW* Washington, DC 20001.

NOTIFICATION PROCEDURE:

Address inquiries to the System Manager.

RECORD ACCESS PROCEDURES:

The major part of the information maintained in this system is 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 part of the information maintained in this system is 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 amendments to the information sought.

RECORD SOURCE CATEGORIES:

Sources of information contained in this system are investigative reports of federal, state and local law enforcement agencies, statement of witnesses, informants and parties, as well as verbatim transcripts of 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 subsection (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-011**SYSTEM NAME:**

Prosecutor's Management Information System (PROMIS).

SYSTEM LOCATION:

U.S. Attorney's Office: *Judiciary Center Bldg., 555 4th Street, NW* Washington, D.C. 20001.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

The individuals on whom records are maintained in PROMIS are as follows: (1) Those individuals who have been charged with criminal violations; (2) those individuals who are currently under investigation for criminal violations; (3) those individuals upon whom criminal investigations were conducted, but no prosecution was initiated; and (4) the names and addresses of all witnesses and arresting police officers.

CATEGORIES OF RECORDS IN THE SYSTEM:

The data in PROMIS fall into six major categories.

1. Information about the accused or defendant. This includes name, alias, sex, race, date of birth, address, facts about prior arrest and convictions, and employment status. If judged appropriate, additional data could be added, such as information about alcohol or drug abuse. Some of this information is used to rate the gravity of the case in terms of the defendant's criminal history.

2. Information about the crime. The date, time, and place of the crime; the number of persons involved in the crime;

and a numerical rating reflecting the gravity of the crime in terms of the amount and degree of personal injury, property damage or loss, and intimidation.

3. Information about the arrest. The date, time, and place of the arrest, the type of arrest and identity of the arresting officers.

4. Information about criminal charges. The charges originally placed by the police against the arrestee the charges actually filed in court against the defendant, the reasons for changes in the charges by the prosecutor, the penal statute for the charge, the FBI Uniform Crime Report Code for the charge, and the Project SEARCH Code for the charge.

5. Information about court events. The dates of every court event in a case from arraignment through motion hearing, continuance hearing, final disposition, and sentencing; the names of the principals involved in each event, including the defense and prosecution attorneys and judge; the outcomes of the events and the reasons therefor.

6. Information about witnesses. The names and addresses, the prosecutor's assessment of whether the witnesses are essential to the case, and any indications of reluctance to testify by the witnesses.

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 by such records 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 enforcing or implementing such law;

(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 a case 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 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, or to the Public Defender Service in connection with caseload management of other purposes;

(6) A record relating to a case or matter that 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 or to assist in eliciting additional information;

(7) A record relating to a person held pending 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 a 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; and

(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) This office utilizes it to track the workload of the criminal court process from three separate vantage points. First, the workload is tracked from the vantage point of the crime or criminal incident. This is accomplished by including in PROMIS the complaint number which the police department assigns to a reported crime. With this number, prosecutors can follow the full history of the court actions arising from the crime even though those actions may involve multiple defendants, multiple cases, and multiple trials and dispositions.

(13) PROMIS tracks the court workload from the vantage point of the accused or defendant. This is achieved by incorporating in PROMIS the fingerprint-based number the police department assigns to the individual following his or her arrest. This identification number is used again by the department if the same individual is subsequently arrested. Through this number, prosecuting attorneys accumulate criminal history files on offenders and note incidents of recidivism.

(14) PROMIS tracks from the vantage point of the court proceedings. This is accomplished by including in PROMIS the docket number the Court assigns to the case pending before it. With this number, prosecutors trace the history of any formal criminal action from arraignment through final disposition and sentencing, and account for the separate fate of each count or charge.

The inclusion of these three numbers is significant. The numbers provide a capability to track the criminal incident, the defendant, or the court actions and provide the basis for the routine communication among the various Federal, state, local, and foreign law enforcement agencies.

(15) PROMIS generates, on a recurring basis, five categories of reports: Misdemeanor calendars, felony calendars, case status reports, workload reports, and special reports. These reports are prepared from information contained in the data base both by persons employed by this office, the Justice Department and persons under contract to the Department for this purpose.

(16) 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

the particular case would constitute an unwarranted invasion of personal privacy.

(17) 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

(18) Release of information to the National Archives and Records Administration (NARA) and to 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:

These records are stored on magnetic tapes and discs at the District of Columbia Metropolitan Police Department Computer Center. Printouts from the terminals are stored with case jackets. Status, calendars, and statistical reports are stored in the files and offices of supervisory attorneys.

RETRIEVABILITY:

This system has an on-line data retrieval capability with respect to certain information continued in the data base. These subsets of information are retrieved on data display terminals which are located at various work stations throughout the office. Certain of these terminals have a printout capability. All information on these subsets is a matter of public record. The system also has the capability for the production of periodic reports. Both the periodic reports and the on-line displays are utilized in accordance with the above listed routine uses.

SAFEGUARDING:

The magnetic tapes and discs are maintained in a secure vault at the Metropolitan Police Department Computer Center. In addition to the physical security safeguards, there is a twenty-four hour patrol. The data display terminals are located in semi-public areas of the office (i.e., administrative work stations through which the public must pass on official business). However, only trained operators may retrieve the information,

which is of public record. The terminals are not open to the public after working hours.

RETENTION AND DISPOSAL:

The files are retained and disposed of in accordance with Title 8, U.S. Attorney's Manual, pages 70-77

SYSTEM MANAGER(S) AND ADDRESS:

Administrative Assistant: United States Attorney; *Judiciary Center Bldg., 555 4th St. NW* Washington, DC. 20001.

NOTIFICATION PROCEDURE:

Address inquiries to the System Manager.

RECORD ACCESS PROCEDURES:

The major part of the information maintained in this system is exempt from this requirement under 5 U.S.C. 552a (j)(2), (k)(1) and/or (j)(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 part of the information maintained in this system is 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:

About 80 percent of the data contained in PROMIS is obtained at the intake and screening stage as the by-product of the case documentation process. Carbon copies of various forms completed immediately before or during the case screening stage serve as input documents for PROMIS.

As a case moves through the subsequent proceedings, additional information about its status is fed to PROMIS. This is achieved through

turnaround documents—forms generated by PROMIS in advance of a court event—on which the results of a given processing (e.g., preliminary hearing, sentencing, etc.) are recorded and then entered in PROMIS.

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—013

SYSTEM NAME:

U.S. Attorney, District of Columbia Superior Court *Operations*, Criminal Files, including but not limited to the following subsystems: (a) Criminal File Folder (USA-S1), (b) Criminal File Folder (USA-33), (c) Criminal Docket Card (USA-T7), and (d) Index.

SYSTEM LOCATION:

U.S. Attorney's Office *Judiciary Center Bldg., 555 4th St. NW* Washington, D.C. 20001.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

The individuals on whom records are maintained may be broadly classified in three categories (1) Those individuals who have been charged with criminal violations; (2) those individuals who are currently under investigation for criminal violations; and (3) those individuals upon whom criminal investigations were conducted, but no prosecution was initiated.

CATEGORIES OF RECORDS IN THE SYSTEM:

This system of records, consisting of numbered Criminal File Folders, (USA-S1 and USA-33), contains criminal investigative reports about named individuals submitted to this office by federal, state, local and foreign law enforcement agencies involved with the investigation of suspected violations as well as by complaints made by private parties. Those matters which become cases either by way of indictment or information in addition to the data contained in the investigative reports, also contain copies of indictments, informations, complaints, and all pleadings submitted to the court in connection with the actual prosecution of the case. These files also contain communications between the Court and agencies thereof, and the United States

Attorney, and all correspondence relative to the case or matter. The files further contain psychiatric, chemical and other forensic reports, documentary evidence and the work product and internal memoranda of the Assistant United States Attorney in charge of the investigation compiled in preparation for the prosecution of each case. In those cases which have gone through trial and appeal, the file would further reflect transcripts of the trial, all pleadings and correspondence between the attorneys and the Court of Appeals, and copies of briefs submitted in the prosecution of the Appeal.

A *synopsis* record of a matter or case is maintained by means of a criminal docket card (USA-T7), for all actions through sentencing. A *synopsis* record of a case on appeal is maintained on an Appellate Docket Card (USA-9X-199), Appellate Proceedings). All of these subsystems comprise an internal cross-reference record keeping system of the criminal business at the office. Through the medium of forms and on-line data input, certain of this information is conveyed to a computer center for inclusion in the Prosecutor's Management Information System (a system which will be reported on separately), from which status and statistical reports are issued and distributed back to this office either in the form of computer printouts or on data display terminals which contain much of the same information as the files in different format.

Because of the number of diverse functions which must be performed with respect to each case; and because of the large volume of cases and because operations are conducted in three separate buildings, there are a number of file folder locator mechanisms and cross references utilized to constantly track a file folder when it is not physically located in file control. These indexes or locators are maintained in the form of 'out cards, log books index card files, etc. They are referenced by name, number, and other identifiers. In themselves, they are not separate systems of records, but indexes or references to the primary system.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

5 U.S.C. 301.

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: