

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—010**SYSTEM NAME:**

Major Crimes Division Investigative Files.

SYSTEM LOCATION:

U.S. attorney's Office; *Judiciary Center Bldg., 555 4th St., N.W., Washington, D.C. 20001.*

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

The individuals on whom records are maintained in the Major Crimes Division Investigative Files 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 upon whom investigations were conducted, but no prosecution was initiated; and (4) other informants.

CATEGORIES OF RECORDS IN THE SYSTEM:

In addition to the standard files maintained in accordance with the U.S. Attorney's Manual and the Department of Justice Docket and Reporting System, there are also maintained in the Major Crimes Division of this office certain investigative and intelligence files. The type of information maintained is identifying data, criminal records, intelligence compiled for the purpose of investigation of criminal offenses, criminal investigative reports, informant debriefing summaries, and information provided in confidence during investigative and prosecutive states of criminal cases.

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 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 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 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;

(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) 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 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:**

The information is maintained in memorandum form in file folders.

RETRIEVABILITY:

Information is retrieved primarily by the name of a person, complaint number, court docket number, FBI number, Metropolitan Police Department identification number and District of Columbia Department of Corrections number.

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;