



U.S. Department of Justice

Civil Rights Division

*Freedom of Information/Privacy Acts Branch
Civil Rights Division
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Washington, DC 20530-0001*

NDH: TDC

APR -8 2005

Ms. Susan Long and Mr. David Burnham
Co-Director TRACs Associate Professor Public Communications
488 Newhouse II
Syracuse University
Syracuse, New York 13244-2100

Dear Ms. Long and Mr. Burnham:

This is in further response to your email request for clarification concerning your Freedom of Information Act request regarding questions no. 5 and no. 7 of your letter.

In response to your request no. 5, for breakdown of complaints by source, after discussion of your request with Criminal Section staff and the Information Technology staff, it is apparent that there is currently no way to obtain either an exact number of complaints that the Criminal Section declined to investigate nor to obtain a complete breakdown by type of complaint from the database system because, e.g., citizen calls are not tracked in the Inter-Active Case Management System (ICM). Any manual tallies on complaint calls might include four or many more calls on the same factual circumstances (or "matter") by different individuals and the tallies may include repeat callers and writers. As yet, the computer system has no way of identifying whether or not a person is complaining about the same incident or even that the same person has written in numerous times about the same matter; therefore, the Division counts all letters and calls as a complaint received. There are significant numbers of individuals that write daily on matters that are already being pursued or write on matters that clearly do not merit pursuit because even if the allegations are accepted as true, the complaints do not allege violations of any criminal civil rights statute. The "complaints" information in these instances would be duplicative.

As another example of the limits of any quest to obtain an exact number of complaints or breakdown on sources, it is common for the Criminal Section to respond to an initial complaint asking for additional details in order to determine whether or not the matter would warrant investigation. Since the Division's request for additional information would occur prior to opening any investigatory file, when and if the writer responds with the additional details, the Civil Rights Division system would count the second letter as another complaint received. For an understanding of the broader universe of complaint sources, please note that the total number of sources includes all citizen letters, controlled mail including congressional inquiries and White House referrals, new FBI investigations, media information, and citizen calls received by the Criminal Section.

According to the Criminal Section, it receives approximately 3,000 complaint calls per year as is manually tallied by the paralegals taking the calls. The Civil Rights Division anticipates that the database may, in the future, be modified to include a feature that will keep a running total of calls, however, this has not yet occurred.

On August 30, 2002, this office sent you all the available electronic information on sources from the late 1980's to 2002. Please refer to the electronic file named "crtermcts.txt" on the CD previously provided to Mr. Burnham. The CD partially includes that information, for example, in the one field in the file titled "source". The CD contains information about the nature of the **written** complaints received by the Criminal Section. This field clearly does not contain all the information on sources that you are requesting, however, there are other fields in that file that contain source information as is explained below.

As you're already aware, judicial district and docket numbers are not collected in this file although information about the state of origin is listed. We have ordered the applicable Civil Rights Division files to ascertain the docket numbers on the cases that you listed in your March 10, 2005 Email. We will forward that information to you as soon as it is available to this office.

It may be helpful to you to simply subtract the number of investigations from the total number of complaints, the result would leave the number of citizen letters, controlled mail and citizen calls. If you again subtract the source information that is available to you in the CD from the total remaining figure, then you will have an approximate number of complaints taken via citizen calls to the Criminal Section. Since this "source" result will be approximate only and may not be that helpful for your purposes, we will await to hear from you regarding the 2002-2004 period before retrieving an extension that would contain the same type of data on written structure of the data as well as the content.

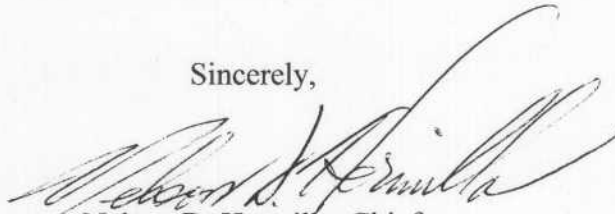
In response to your request no. 7 regarding a database to record complaints, please refer once again to the information already provided to you on the CD. The electronic file named "crtermcts.txt" contains some limited information about the nature of the written complaints

This office provided the code table information to Mr. Burnham on the CD. This is the "cd" table which includes code tables and some of the additional documentation that was requested. For example, "Attorney General" and "existing" are listed in this table with the corresponding abbreviations of "AG" and "E." Each of the tables provided also had a corresponding "RL" table. The "RL" information is the coding and table structure consisting of names, field values, text sizes, parameters, etc. For example, "CRTPARTY" also has a table listed "CRTPARTY_RL".

Once the Criminal Section has determined that particular allegations merit an investigation and the Section creates a file, the data is a great deal more comprehensive on each complaint. As you are aware from prior responses and you may refer to the approximately 20 code tables related to the "case" fields on the CD, the Division has data fields for the date of the correspondence, date received, the general File Number, the name of the victim(s) and subject(s) and complainant, whether the complaint is not from the victim, the law enforcement agency involved in the complaint or the city where the incident occurred, and then more disposition information. Again, there is duplication on the number of complaints even among the more closely controlled compilations of information on the investigations.

We hope that this information is of some assistance to you. Please don't hesitate to contact me regarding any questions you may have regarding your request.

Sincerely,



Nelson D. Hermilla, Chief

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