



COPS Fact Sheet

www.cops.usdoj.gov

COMMUNITY ORIENTED POLICING SERVICES
U.S. DEPARTMENT OF JUSTICE

The Freedom of Information Act (FOIA)

The Freedom of Information Act (FOIA), 5 U.S.C § 552, is a statute enacted by Congress to provide the public the right to request access to certain federal agency records or information. Under the FOIA, all agency records may be disclosed, unless the records are exempt or excluded from disclosure as explained below.

There are nine statutory FOIA exemptions that permit the agency to withhold certain documents, or information contained in documents, from disclosure. There are two disclosure exemptions most frequently used for grants and related records.

- *Exemption 5* protects inter-agency or intra-agency communications that reflect deliberative process or privileged information.
- *Exemption 6* protects the personal privacy of a third party.

Any person can make a request for agency records under FOIA. The request must be in writing and can be submitted in one of three ways:

- 1) E-mail: cops.foia@usdoj.gov
- 2) Fax: 202.514.3456
- 3) Mail: U.S Department of Justice
COPS Office Legal Division
1100 Vermont Ave NW
Washington, DC 20530

Typically, it takes two to three weeks for the COPS Office to respond to a FOIA request, depending on the volume of requested records.

There is no required format to make a written request. You must, however, provide a reasonable description of the record(s) that you are requesting.

Most COPS records are provided at no charge. However, Department of Justice regulations state that, by submitting a FOIA request, you agree to incur a reproduction and/or search fee up to \$25.00. Certain fees for the search, review, and duplication of records may apply depending on the type of requestor and volume of the request.

To help expedite a large request, please advise us how much over the \$25 FOIA processing fee you are willing to pay. If it is necessary to exceed the amount you specify in order to process the request, we will contact you to discuss the anticipated cost. If fees are required, all fees will be collected before the records are released.

Please access our website, www.cops.usdoj.gov. Many records are readily available on-line, thus eliminating the need for a FOIA request.

Congressional inquiries, please contact the Congressional Relations Division at: 202.514.9079

Press inquiries, please contact the Communications Division at: 202.616.1728

Frequently asked FOIA Questions:

1. How can I obtain a list of all COPS grants awarded in my city or state?

Go to the COPS Homepage at: www.cops.usdoj.gov. Click on "Grantee List" on the right side. You are now in the "Electronic Reading Room." COPS grants are listed individually by state at the bottom of this page.

2. Can I request a copy of a COPS grantee's grant-related records?

Yes. Your request should identify the department or city name, the name of the specific grant program, and the grant records requested (i.e., application, award document, budget, progress reports).

Please be advised that some requested records or information within records may be withheld under the FOIA exemptions previously mentioned. If this is the case, we will explain the reasons for withholding documents in our response to you.

3. Can I obtain a "customized" computer listing of COPS grants awarded?

Yes, we can create a database query to meet specific criteria that you provide but computer listings can be formatted in Microsoft Access only. The most common fields requested from the COPS database are:

- (1) agency name
- (2) full address
- (3) estimated award amount
- (4) award type
- (5) project start date

Large queries can be quite expensive, so if possible, limit your request to only one state or one specific grant program. To help expedite your request, please state whether you are willing to pay processing fees, and if so, the amount you are willing to pay. If it is necessary for us to exceed your specified amount to complete your request, we will contact you. You must pay the fee before we will release the data.

Customized computer listings may take as long as three to four weeks to process. We will make a reasonable effort to search for records in electronic form but we can deny a request if it would cause significant interference with the operation of the agency's automated information system.

4. How do I obtain a copy of an Inspector General audit report of a COPS grantee?

To request a copy of an Office of the Inspector General (OIG) audit report, please contact the OIG FOIA Office at 202.616.0646. The COPS FOIA Officer does not release OIG documents.

5. If I submit a FOIA request, could my name ever be released as the requester?

If a party submits a FOIA request asking for the identity of a requester, that information will be released. Making a FOIA request is not a confidential matter.

6. How can I find out the grant award balance due to a specific COPS grantee, the amount of grant funding a grantee has already drawn down, and/or the dates that the grantee drew down funds?

The Office of Justice Programs (OJP) maintains the actual amount of funds disbursed and the date of disbursement. To obtain "drawdown" information, you should submit a written FOIA request to OJP by fax at 202.307.1419. You should provide the complete name of the grantee and the name of the grant program. The phone number for the OJP FOIA Officer is 202.616.3267.

Contact COPS

If you have additional questions concerning COPS FOIA policy and procedures, please call the COPS Office Legal Division at 202.514.3750 or visit the COPS website at: www.cops.usdoj.gov