

**COURT SERVICES AND OFFENDER SUPERVISION AGENCY
FREEDOM OF INFORMATION ACT ANNUAL REPORT
FOR FISCAL YEAR 2004
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I. BASIC INFORMATION REGARDING REPORT

This is the Fiscal Year 2004 Report for the Court Services and Offender Supervision Agency (CSOSA). For purposes of administering the FOIA, CSOSA consists of two components, CSOSA and the Pretrial Services Agency (PSA).

A. Name, title, address and telephone number of person(s) to be contacted with the questions about report.

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B. Electronic address for the report on the World Wide Web.

www.csosa.gov

C. How to obtain a copy of the report in paper form

Contact Renee Barley at the address provided in Item A above.

II. HOW TO MAKE A FOIA REQUEST

For basic information on how to make a FOIA request, visit our Website at www.csosa.gov.

II. DEFINITIONS OF BASIC TERMS AND ACRONYMS USED IN THE REPORT

1. FOIA/PA request -- Freedom of Information Act/Privacy Act request. A FOIA request is generally a request for access to records concerning a third party, an organization, or a particular topic of interest. A Privacy Act request is a request for records concerning oneself; such requests are also treated as FOIA requests. (All requests for access to records, regardless of which law is cited by the requester, are included in this report.)
2. Initial Request -- a request to a federal agency for access to records under the Freedom of Information Act.
3. Appeal -- a request to a federal agency asking that it review at a higher administrative level a full denial or partial denial of access to records under the Freedom of Information Act, or any other FOIA determination such as a matter pertaining to fees.
4. Processed Request or Appeal -- a request or appeal for which an agency has taken a final action on the request or the appeal in all respects.
5. Multi-track processing -- a system in which simple requests requiring relatively minimal review are placed in one processing track and more voluminous and complex requests are placed in one or more other tracks. Requests in each track are processed on a first-in/first out basis. A requester who has an urgent need for records may request expedited processing (see below).
6. Expedited processing -- an agency will process a FOIA request on an expedited basis when a requester has shown an exceptional need or urgency for the records which warrants prioritization of his or her request over other requests that were made earlier.

7. Simple request -- a FOIA request that an agency using multi-track processing places in its fastest (non expedited) track based on the volume and/or simplicity of records requested.
8. Complex request -- a FOIA request that an agency using multi-track processing places in a slower track based on the volume and/or complexity of records requested.
9. Grant -- an agency decision to disclose all records in full in response to a FOIA request.
10. Partial grant -- an agency decision to disclose a record in part in response to a FOIA request, deleting information determined to be exempt under one or more of the FOIA's exemptions; or a decision to disclose some records in their entireties, but to withhold others in whole or in part.
11. Denial -- an agency decision not to release any part of a record or records in response to a FOIA request because all the information in the requested records is determined by the agency to be exempt under one or more of the FOIA's exemptions, or for some procedural reason (such as because no record is located in response to a FOIA request).
12. Time limits -- the time period in the Freedom of Information Act for an agency to respond to a FOIA request (ordinarily 20 working days from proper receipt of a "perfected" FOIA request).
13. "Perfected" request -- a FOIA request for records which adequately describes the records sought, which has been received by the FOIA office of the agency or agency component in possession of the records, and for which there is no remaining question about the payment of applicable fees.
14. Exemption 3 statute -- a separate federal statute prohibiting the disclosure of a certain type of information and authorizing its withholding under FOIA subsection (b)(3).
15. Median number -- the middle, not average, number. For example, of 3, 7, and 14, the median number is 7.
16. Average number -- the number obtained by dividing the sum of a group of numbers by the quantity of numbers in the group. For example, of 3, 7, and 14, the average number is 8.

IV. EXEMPTION 3 STATUTES

Three requests processed using Exemption 3 withhold of information.

STATUTE/RULE	TYPE OF INFORMATION WITHHELD	CASE CITATION
42 USC § 290dd-3 & 290 ee-3	Mental Health & Drug Treatment Information	No

V. INITIAL FOIA/PA ACCESS REQUESTS

A. Number of initial requests.

- 1. Number of requests pending as of end of preceding fiscal year: 96
- 2. Number of requests received during current fiscal year: 701
- 3. Number of requests processed during current fiscal year: 778
- 4. Number of requests pending as of end of current fiscal year: 19

B. Disposition of initial requests.

- 1. Number of total grants: 67
- 2. Number of partial grants: 492
- 3. Number of denials: 2

a. number of times each FOIA exemption used

- (b)(1): 0 (b)(6): 481 (b)(7)(E): 1
- (b)(2): 2 (b)(7)(A): 0 (b)(7)(F): 1
- (b)(3): 3 (b)(7)(B): 0 (b)(8): 0
- (b)(4): 0 (b)(7)(C): 481 (b)(9): 0

4. Other reasons for nondisclosure (total): 217

- a. no records: 19
- b. referrals: 1
- c. request withdrawn: 167
- d. fee-related reason : 2
- e. records not reasonably described : 1
- f. not a proper FOIA request for some other reason: 13
- g. not an agency record : 7
- h. duplicate request: 3
- i. other: 4

- 1. Response to request made Pre-Trial Agency, another component of CSOSA
- 2. Not a FOIA Request, a Congressional
- 3. Correction of Records; response made by attorney; not under FOIA
- 4. Not a FOIA request; subpoena (motion to quash)

VI. APPEALS OF INITIAL DENIALS OF FOIA/PA REQUESTS

A. Number of appeals

- 1. Number of appeals received during fiscal year: 4
- 2. Number of appeals processed during fiscal year: 4

B. Disposition of appeals

- 1. Number completely upheld: 3
- 2. Number partially upheld: 0
- 3. Number completely reversed: 0

a. number of times each FOIA exemption used

- (b)(1) : 0 (b)(6): 2 (b)(7)(E):
- (b)(2) : 1 (b)(7)(A): 0 (b)(7)(F): 1
- (b)(3) : 0 (b)(7)(B): 0 (b)(8): 0
- (b)(4) : 0 (b)(7)(C): 2 (b)(9): 0
- (b)(5) : 0 (b)(7)(D): 0

4. Other reasons for nondisclosure (total): 1

- a. no records: 1
- b. referrals: 0
- c. request withdrawn: 0
- d. fee-related reason: 0
- e. records not reasonably described : 0
- f. not a proper FOIA request for some other reason: 0
- g. not an agency record : 0 h.
- duplicate request: 0 i. other
(specify): 0

VII. COMPLIANCE WITH TIME LIMITS/STATUS OF PENDING REQUESTS

A. Median processing time for requests processed during the year. 1.

Simple requests (if multiple tracks used).

- a. number of requests processed: 0
- b. median number of days to process: 0

2. Complex requests (specify for any and all tracks used).

- a. number of requests processed: 778
- b. median number of days to process: 13 days

3. Requests accorded expedited processing.

- a. number of requests processed : 0
- b. median number of days to process: 0

B. Status of pending requests.

- 1. Number of requests pending as of end of current fiscal year: 19 requests pending.
- 2. Median number of days that such requests were pending as of that date: 12 working days

VIII. COMPARISONS WITH PREVIOUS YEAR(S) (OPTIONAL)

- A. Comparison of number of requests received
959 requests in FY 03 vs. 701 requests in FY 04, 27% decrease
- B. Comparison of number of requests processed
966 requests in FY 03 vs. 778 requests in FY 04, 20% decrease
- C. Comparison of median number of days requests were pending as of end of fiscal year 16 days in FY03 vs. 13 days in FY04
- D. Other statistics significant to agency

0 requests received for expedited processing; 0 requests processed.
- E. Other narrative statements describing agency efforts to improve timeliness of FOIA performance and to make records available to the public (e.g., backlog-reduction efforts; specification of average number of hours per processed request; training activities; public availability of new categories of records) _____

IX. COSTS/FOIA STAFFING

- A. Staffing levels.
 - 1. Number of full-time FOIA personnel: 2
 - 2. Number of personnel with part-time or occasional FOIA duties (in total work-years):
3.05 work years
 - 3. Total number of personnel (in work-years): 5.05 work-years
- B. Total costs (including staff and all resources).
 - 1. FOIA processing (including appeals): \$270,113.00
 - 2. Litigation-related activities (estimated): \$0
 - 3. Total costs: \$270,113.00
 - 4. Comparison with previous year(s) (including percentage of change) (optional):

X. FEES

A. Total amount of fees collected by agency for processing requests: \$ 7,950.00 billed; \$6,596.25 total collected.

B. Percentage of total costs: .082%

XI. FOIA REGULATIONS (INCLUDING FEE SCHEDULE)

The Agency's FOIA regulations (28 CFR Part 802) were published in the Federal Register on June 3, 2003 (68 FR 32985), and are codified at the following link: http://www.csosa.gov/regs/802_eCFR.htm

An Amendment to the Privacy Act System of Records was published in the Federal Register on June 27, 2003 (68 FR 3 8310).