

System Description: The Victim Notification System (VNS) provides information to victims of federal crime. The notification consists of keeping victims apprised of the status of the investigation of a crime, subsequent stages of the case criminal justice system, and the location and status of an offender while incarcerated or released.

The VNS is currently operational.

System Purpose: VNS was created to meet statutorily-imposed responsibilities regarding notification of activity in cases involving victims of federal crime. The Victim and Witness Protection Act of 1982, the Crime Control Act of 1990, the Violent Crime Control and Law Enforcement Act of 1994, the Crime Victims Rights Act (2004) and the Attorney General's (AG) Guidelines for Victim and Witness Assistance set forth procedures to meet the needs of victims of crime. A component of each of these directives is to ensure victims are advised of the significant stages in the criminal justice process and the procedural developments.

In the course of serving this purpose, the VNS must collect and maintain certain personal information which identifies victims of crime.

Assessment:

1. What information is to be collected?
 - a. The information maintained by VNS regarding victims is the same as collected prior to the implementation of the System. The personal information collected and maintained by VNS is:
 - i. Full name
 - (1) If an organization is the victim, an account number relevant to the loss is collected
 - ii. Complete address information for both home and work. Including,
 - (1) address, phone, cell phone, email address, fax number, pager number.
 - iii. If available,
 - (1) Date of birth
 - (2) Date of the incident involving the victim
 - (3) Date of victims death
 - (4) Social security number (required for restitution payments)
 - (5) Race
 - (6) Gender
 - (7) Physical Disabilities
 - (8) Do they require protection from the defendant in the case
 - (9) Special Circumstances (Child Abuse, Child Exploitation, etc.)

- (10) Does the victim have property to be returned
- (11) Amount of lost property claimed
- (12) Type of loss
- (13) Victim Location, Level of Victimization, Employment Classification, Employment Type
 - (a) All used in special circumstances to provide relevant notices to groups of victims in large cases.
- (14) Preferred Notification Language

2. Why is the information being collected?

- a. In order to provide notifications required to victims, the information listed in section 1(a) (i) and (ii) above must be maintained to contact the victims. The contact information is collected during the criminal investigation and prosecution of a case. The information in section 1(a)(iii) is used to aid the agency staff in their contact with the victims and/or to assist in identifying groups of victims in larger cases who may require separate notifications.

3. What is the intended use of the information?

- a. The personal information is necessary to notify victims of events pertinent to the investigation, prosecution, and/or incarceration of convicted defendants in their case. In addition, since victims are often witnesses during the prosecution of a case, the information is used to contact the witnesses.

4. With whom will the information be shared?

- a. Access to VNS is limited to authorized users of the System. Outside of the government agencies participating in the investigation, prosecution and incarceration of the defendants, the victim information may be provided to defense counsel as required by the Federal Rules of Criminal Procedure.

5. What opportunities will individuals have to decline to provide information or to consent to particular uses of the information, and how individuals can grant consent?

- a. Most frequently, the information regarding the victims is found during the criminal investigation of the case. Since victims are almost always potential witnesses in a case, their contact information is important to the case being carried forward and the subject of independent discovery by the investigating agency if they decline to make it available. The contact information is not shared outside those responsible for the investigation, prosecution, or incarceration, except as provided by the Federal Rules of Criminal Procedure. While victims cannot

decline to be identified as such, they are able to decline the notification services provided by VNS. However, their contact information does, as general rule, remain in the System.

6. How will the information be secured?

- a. The information is secured with management, operational, and technical controls as delineated by NIST Special Publication 800-53 *Recommended Security Controls for Federal Information Systems*. The applied system category control set is **moderate** as defined by NIST Special Publication 800-60 *Guide for Mapping Types of Information and Information Systems to Security Categories*. The system is certified and accredited for control compliance as well as adherence to industry security best practices and mitigation of risk due to technical vulnerabilities.
- b. The potential risk for unauthorized disclosure of personal information is mitigated by
 - i. limiting the number of authorized system users
 - ii. performing background investigations on candidate users
 - iii. providing initial and annual system security training
 - iv. limiting physical access to the system
 - v. robust malicious software management
 - vi. timely installation of security patches
 - vii. monitoring network activity with an continuously monitored intrusion detection System, and
 - viii. encrypting personal data during transmission.

7. Is the system of records being created under the Privacy Act, 5 U.S.C. 552a?

- a. Yes. The information collected and maintained by VNS is governed by the Privacy Act. The information may be disclosed without the individual's consent, but only as permitted by the Privacy Act, the Freedom of Information Act, the Federal Rules of Criminal Procedure and in accordance with established VNS policy and procedure.