



U.S. Department of Justice

Criminal Division
Office of Enforcement Operations

(202) 616-0307

Washington, D.C. 20530

AUG 30 2000

CRM-20000926F

Ms. Elena Ruth Sassower
Center for Judicial Accountability
P.O. Box 69, Gedney Station
White Plains, New York 10605-0069

Dear Ms. Sassower:

This is in response to your Freedom of Information Act request dated May 1, 2000, to the Office of Information and Privacy. Your request was forwarded to this Office for a response to your inquiry regarding the jurisdiction for the Department of Justice to investigate and prosecute state governmental corruption. I regret the delay in this response. Your request has been assigned file number 20000926F. Please refer to this number in any future correspondence with this Unit.

I am advised that there is no specific statutory authority for federal prosecutions of state officials. When such prosecutions are undertaken at the federal level they are based upon one or more federal criminal laws. Such statutes include the Hobbes Act, 18 U.S.C. § 1951, which covers extortion by public officials, and the Travel Act, 18 U.S.C. § 1952. Other general offenses, such as mail fraud, 18 U.S.C. § 1341, may also be charged against state officials, when appropriate.

If you treat this response as a denial you have a right to an administrative appeal of this determination. Department regulations provide that such appeals must be filed within sixty days of your receipt of this letter. 28 C.F.R. 16.9. Your appeal should be addressed to: Co-Director, Office of Information and Privacy, Flag Building, Suite 570, United States Department of Justice, Washington, D.C. 20530. Both the envelope and the letter should be clearly marked with the legend "FOIA Appeal." If you exercise this right and your appeal is denied, you also have the right to seek judicial review of this action in the federal judicial district (1) in which you reside, (2) in

which you have your principal place of business, (3) in which the records denied are located, or (4) for the District of Columbia.

Sincerely,



Thomas J. McIntyre, Chief
Freedom of Information/Privacy Act Unit