

Subject: Appeal Request 2017-ICFO-40400

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From: Zack Kopplin

To: ice-foia@ice.dhs.gov

Government Accountability Project

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FOIA Appeal

Dear Administrator:

This is an appeal under the Freedom of Information Act, 5 U.S.C. § 552.

On 07/31/17 I made FOIA requests to your agency for any and all records in the EARM system showing a detainee, originally located in a facility administered by the ERO Field offices, or any of their sub offices, transferred to any other type of American detention facility, outside of ICE's direct control, including, but not limited to, jails, prisons, or other agencies. Please also provide records, including, but not limited to, the I-216 and any charging documents or warrants, whether these documents are from a sheriff or police office or from a task force, including, but not limited to, the Joint Terrorism Task Force, the High Intensity Drug Trafficking Area Program, or the Transnational Anti-Gang Task Force, or from any other agency. I requested you make sure to identify which facility the detainee was transferred to and on what date. I specified to search for records from 7/28/16 until the present. I sent individual requests for each ERO Field Offices including Phoenix, Arizona; San Diego, California; San Francisco, California; Los Angeles, California; San Antonio, Texas; El Paso, Texas; Houston, Texas; Dallas, Texas; New Orleans, Louisiana; Baltimore, Maryland; Boston, Massachusetts; Denver, Colorado; Miami, Florida; Atlanta, Georgia; Chicago, Illinois; Detroit, Michigan; St. Paul, Minnesota; Newark, New Jersey; Buffalo, New York; New York, New York; Philadelphia, Pennsylvania; Salt Lake City, Utah; Washington D.C.; & Seattle, Washington.

Your office consolidated the requests and labelled them **2017-ICFO-40400**.

On 08/07/17, your agency denied my request on the grounds that the request was either too broad in scope, did not specifically identify the records which you are seeking, or only posed questions to the agency.

I appeal this denial because while I asked for a large amount of data, my request not too broad. I identified each specific piece of data I wanted (notes in the detention log, I-216s, and warrants), for a specific limited group of people (those transferred to other custody outside ICE control), within a year, and I identified each specific field office. (It was your office that decided to consolidate them.)

I did not ask any questions or for any records that do not exist, I specified exactly what I wanted. I requested records for a limited category of detainees.

While there is likely to be a large number of documents responsive to this request, the scope of the request itself is not too broad. Every aspect of it is controlled, and the relevant documents should be in ICE's

possession. They can be easily obtained and segregated by searching through ICE's EARM system, and other intake systems.

The information which I have requested is clearly releasable under FOIA and, in my opinion, may not validly be protected by any of the Act's exemptions.

I trust that upon re-consideration, you will reverse the decision denying me access to this material and grant my original request.

As I have made this request in the capacity of a journalist and investigator and this information is of timely value, I would appreciate your expediting the consideration of my appeal in every way possible. In any case, I will expect to receive your decision within 20 business days, as required by the statute.

Thank you for your assistance,

Zack Kopplin