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U.S. Immigration and Customs Enforcement
Freedom of Information Act Office
500 12th Street, S.W., Stop 5009
Washington, D.C. 20536-5009
Email: ICE-FOIA@dhs.gov
Fax: (202) 732-4265

To Whom It May Concern:

Pursuant to the federal Freedom of Information Act, 5 U.S.C. § 552 et seq., I request copies of the following:

1. **All data used by Immigrations and Customs Enforcement as inputs to the Risk Classification Assessment (RCA).**
2. **All data output by the RCA.**

I request these records for all RCA decisions issued between Jan. 1, 2013 and the date this request is fulfilled. The input records and output records should share a common identifier that allows them to be analyzed together.

ICE has previously released records, via FOIA, containing information about Risk Classification Assessment inputs and decisions. For instance, ICE released more than 500 “ENFORCE Application Suite RCA Detailed Summary” reports as part of the agency’s response to request 2013-FOIA-17861¹.

As the forms released in that response indicate, RCA outputs include (but are not necessarily limited to):

- Date and time of the assessment
- Decision type (e.g., “Custody Classification Level Decision”)
- “Recommendation (Rec.) / Decision Outcome”
- An indicator of whether mandatory detention is necessary
- An indicator of whether the apprehended person has any special vulnerabilities
- “Risk to Public Safety”
- “Risk of Flight”

¹ Example documents are located at:

[https://www.dropbox.com/s/5yc8598t54wv8kj/Exhibits%20-%20Sample%20RCAs%20\(revised%204.19.15\).pdf?dl=0](https://www.dropbox.com/s/5yc8598t54wv8kj/Exhibits%20-%20Sample%20RCAs%20(revised%204.19.15).pdf?dl=0)

As such, the responsive records to Part 2 (“all data output by the RCA”) of this request should include, at the very least, the data-points in the list above.

I seek these records on behalf of BuzzFeed News and for the purpose of informing the public. I request these records in their original digital format and that they be delivered by email or FTP.

I recognize that some of the fields requested above may contain **personally identifiable information**. The agency may redact all such columns in their entirety, but **should indicate which columns have been redacted**.

Under the FOIA Improvement Act of 2016, agencies may withhold information “only if . . . disclosure would harm an interest protected by an exemption” or if “disclosure is prohibited by law.” **If it is your position that any portion of the requested records is exempt from disclosure, I request that you provide an index of those documents as required under *Vaughn v. Rosen*, 484 F.2d 820 (D.C. Cir. 1973), cert. denied, 415 U.S. 977 (1974).**

Because the release of this information is in the public interest, please waive any applicable duplication fees. In recent years the agency has made many important policy changes regarding immigrant detention. Moreover, changes to the RCA have been covered extensively — including recently, in June 2018, by Reuters, the ABA Journal², Vice³, and The Daily Dot⁴, among others. If you determine that fees will exceed \$25, please inform me first. As I am making this request as a journalist and this information is of timely value, I would appreciate you communicating with me by telephone or electronic mail — listed above — rather than by postal mail.

I look forward to your reply within 20 business days, as the statute requires. Please let me know if there are any clarifications I can make to make this request easier and/or quicker to complete.

Sincerely,
Jeremy Singer-Vine

² http://www.abajournal.com/news/article/ice_risk_assessment_tool_now_only_recommends_detain

³

https://motherboard.vice.com/en_us/article/evk3kw/ice-modified-its-risk-assessment-software-so-it-automatically-recommends-detention

⁴ <https://www.dailydot.com/debug/ice-risk-assessment-software/>