

February 5, 2026

*Submitted via the DHS FOIA Public Access Portal*

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## **Re: FOIA Request for Records Related to Parady La, [REDACTED]**

Dear Reviewing Officer:

The American Civil Liberties Union (“ACLU”) of Pennsylvania (also referred to as “Requester”) submits this Freedom of Information Act (“FOIA”), 5 U.S.C. § 552 *et seq.*, request, seeking the production of records related to the detention and death of Parady La (“Mr. La”), A# 25172496, in ICE custody. The ACLU of Pennsylvania represents Mr. La’s next-of-kin and attaches to this request ICE’s notification of Mr. La’s death. Requester also seeks a fee waiver pursuant to 5 U.S.C. § 552(a)(4)(A)(iii) and 6 C.F.R. § 5.11(k). The justification for the fee waiver is set out in detail following the Request.

### **I. Records Requested**

The ACLU of Pennsylvania seeks the release of any and all records prepared, received, transmitted, collected, and/or maintained by U.S. Immigration and Customs Enforcement (“ICE”) which describe, refer, or relate to Mr. Parady La, who was held in ICE custody on or about January 6, 2026 until his death on or about January 9, 2026, at the Federal Detention Center (“FDC”) in Philadelphia, Pennsylvania and later at a local hospital. Included with this Request is a copy of ICE’s detainee death notification released after Mr. La’s death (**Ex. A**), and a declaration from Mr. La’s daughter, stating that she is his next-of-kin and authorizes the ACLU of Pennsylvania to request records related to Mr. La’s death (**Ex. B**). Unless otherwise specified, the ACLU of Pennsylvania seeks records prepared, generated, or otherwise dated from January 6, 2026, to the present.

### **A. Definitions**

For the purposes of this request, “any representative of Cambodia” includes consular and/or embassy staff for Cambodia as well as any other governmental personnel of Cambodia.

For the purposes of this request, “any representative of Thailand” includes consular and/or embassy staff for Thailand as well as any other governmental personnel of Thailand.

For the purposes of this request, “any representative of any other country or countries” includes consular and/or embassy staff as well as any other governmental personnel.

For the purposes of this request, “BOP” means the Federal Bureau of Prisons, an agency contained within the United States Department of Justice.

For the purposes of this request, the term “communications” means any transmittal of information from one person or entity to another by any means, including letters; correspondence; notes; memoranda; records; reports; papers; facsimiles; electronic mail (whether to, from, copied, or blind copied) from business or personal email accounts; electronic mail generated from a handheld personal device including an Android, Blackberry, or iPhone; instant messaging; internet relay chat; news group; group or collaboration servers (including share point servers); electronic bulletin boards; dictation tapes; video recordings; audio recordings; digital recordings; memoranda; telegrams; telecopies and telexes; teleconference; web-based or software virtual meetings, including Microsoft Teams, Zoom, Cisco WebEx, or other virtual meeting software; and oral communication such as face-to-face or in-person discussions or meetings, telephone calls, and voice mail messages.

For the purposes of this request, “CRCL” means the DHS Office for Civil Rights and Civil Liberties and any components, subcomponents, offices, or personnel therein.

For the purposes of this request, “data compilations” has the same scope used in Rule 34(a)(1)(A) of the Federal Rules of Civil Procedure.

For the purposes of this request, “detainee” means any person subject to ICE arrest and detention, including individuals who were detained but are now released.

For the purposes of this request, the term “documents” has the same scope used in Rule 34(a)(1) of the Federal Rules of Civil Procedure and shall encompass every writing or record of every type and description and every tangible thing that is or has been in the possession, custody, or control of ICE and its employees, to which they have access, or of which they have knowledge, including, but not limited to, newspaper articles, magazine articles, news articles, correspondence, letters, contracts, files, electronic mail, memoranda, stenographic notes, handwritten notes, drafts, studies, publications, books, pamphlets, catalogs, purchase orders, receipts, advertisements, direct mail solicitations, point-of-sale and point-of-purchase materials, notebooks, diaries, models, devices, pictures, photographs, films, audiotapes, videotapes, computer records, voice recordings, maps, reports, surveys, agendas, minutes, data compilations, and statistical compilations, regardless of whether a particular document is privileged or confidential, and regardless of the form of storage (including, but not limited to, paper, microfiche, magnetic tape, magnetic disk (hard disk or floppy disk), CD-ROM, DVD, optical disk, or electronic storage device).

For the purposes of this request, the term “DHS” means Department of Homeland Security, and any components, subcomponents, offices, or personnel therein.

For the purposes of this request, “Dry Cell” means a room or cell in which a detainee is placed when suspected of ingesting or concealing contraband in a body cavity, as defined and described in the 2019 National Detention Standards, Standard 2.7.<sup>1</sup>

For the purposes of this request, the term “EMS” means Emergency Medical Services, including but not limited to Philadelphia EMS or any other public or private ambulance or paramedic first responder service.

For the purposes of this request, the term “ERAU” means the ICE External Reviews and Analysis Unit, and any components, subcomponents, offices, or personnel therein.

For the purposes of this request, the term “ERO” means Enforcement and Removal Operations, and any components, subcomponents, offices, or personnel therein.

For the purposes of this request, the term “ICE” means U.S. Immigration and Customs Enforcement, and any components, subcomponents, offices, or personnel therein.

For the purposes of this request, the term “ICE staff” means an employee of ICE.

For the purposes of this request, the term “IHSC” means ICE Health Services Corps, and any components, subcomponents, offices, or personnel therein.

For the purposes of this request, “Institution Disciplinary Panel” means a higher-level panel within a detention center which adjudicates detainee incident reports, as defined and described in the 2019 National Detention Standards, Standard 3.1.<sup>2</sup>

For the purposes of this request, the term “FDC” means the Federal Detention Center, a detention facility in Philadelphia, Pennsylvania contracted to detain individuals for ICE, operated by the Federal Bureau of Prisons.

For the purposes of this request, the term “FDC staff” means all staff at the Philadelphia Federal Detention Center, including but not limited to the Warden, Medical Director, medical staff, correctional officers, and any contractors who work at FDC.

For the purposes of this request, “OIDO” means the DHS Office of the Immigration Detention Ombudsman and any components, subcomponents, offices, or personnel therein.

For the purposes of this request, “OIG” means the DHS Office of the Inspector General and any components, subcomponents, offices, or personnel therein.

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<sup>1</sup> Standard 2.7: *Searches of Detainees*, U.S. IMMIGR. & CUSTOMS ENF’T (2019) [https://www.ice.gov/doclib/detention-standards/2019/2\\_7.pdf](https://www.ice.gov/doclib/detention-standards/2019/2_7.pdf).

<sup>2</sup> Standard 3.1: *Disciplinary System*, U.S. IMMIGR. & CUSTOMS ENF’T (2019) [https://www.ice.gov/doclib/detention-standards/2019/3\\_1.pdf](https://www.ice.gov/doclib/detention-standards/2019/3_1.pdf).

For the purposes of this request, the term “Philadelphia Field Office” means the ICE office with an Area of Responsibility of Delaware, Pennsylvania, and West Virginia, and any components, subcomponents, offices, or personnel therein.

For the purposes of this request, the term “SHU” means Special Housing Unit, a housing unit within a detention facility in which detainees are separated from the general detainee population.

For the purposes of this request, “SMU” means Special Management Unit, as defined and described in the 2019 National Detention Standards, Standard 2.9.<sup>3</sup>

For the purposes of this request, a “Unit Disciplinary Committee” refers to an investigative/adjudicative panel at a detention facility, as defined and described in the 2019 National Detention Standards, Standard 3.1.<sup>4</sup>

## B. Specific Records Requested

### Detention File/Disciplinary Records

- Parady La’s complete Resident File, Alien File, and/or Detention File;
- Any copies of the travel documents for Parady La that ICE has in their possession, regardless of the date;
- Any copies of documents provided by any ICE personnel to Parady La relating to his detention on January 6, 2026, including but not limited to ICE Form I-213, ICE Form I-200, ICE Form I-205, any warrants of deportation/removal, administrative warrants, and target folders;
- All statements, post-investigation reports, and/or summaries regarding Parady La and efforts to detain him from January 1, 2003 to January 6, 2026;
- Any records signed, prepared, or completed by Parady La;
- Parady La’s classification, work, finances, commissary, telephone use, and correspondence;
- Any processing forms regarding Parady La;
- Detainee grievances, complaints, sick call requests, and “kites” submitted by *or about* Parady La to FDC Philadelphia staff or ICE staff, as well as FDC Philadelphia’s or ICE’s responses to such requests;
- Any written questions, requests, or concerns submitted by Parady La to ICE/ERO;
- ICE/ERO’s written response to any written questions, requests or concerns submitted by *or about* Parady La;
- Records of any disciplinary action taken or sanctions imposed against Parady La for any type of alleged infraction;
- Records of any investigation of any alleged rule violation, transgression, or infraction by Parady La, including but not limited to records created by a Unit Disciplinary Committee or Institution Disciplinary Panel;

<sup>3</sup> Standard 2.9: Special Management Units, U.S. IMMIGR. & CUSTOMS ENF’T (2019) [https://www.ice.gov/doclib/detention-standards/2019/2\\_9.pdf](https://www.ice.gov/doclib/detention-standards/2019/2_9.pdf).

<sup>4</sup> Standard 3.1: Disciplinary System, U.S. IMMIGR. & CUSTOMS ENF’T (2019) [https://www.ice.gov/doclib/detention-standards/2019/3\\_1.pdf](https://www.ice.gov/doclib/detention-standards/2019/3_1.pdf).

- Records of any search of Parady La’s person or possessions, including any documents authorizing a search and the reason for a search;
- Records documenting any use of force or restraints against Parady La by FDC facility staff, including any Report of Incident, witness statements, After-Action Report, or memoranda;
- Records documenting the outcome of any ICE/ERO review of reports of any use of force or restraint against Parady La, including reports created by the facility review team;
- Records documenting the placement of Parady La in the SHU, SMU, Administrative Segregation, medical segregation, or Disciplinary Segregation (collectively, “any form of segregation”), including but not limited to:
  - Segregation Orders;
  - The outcome and notes of any supervisor review of the decision to place Parady La in any form of segregation, including a decision and justification for his placement in such a setting;
  - Interview notes from any conversation with Parady La about his placement in any form of segregation;
  - Any appeal by Parady La of his placement in any form of segregation;
  - Any decision or order placing Parady La in any form of segregation by facility officials;
  - Any Segregation Order regarding Parady La;
  - Any documents or records from any review of Parady La’s placement in any form of segregation;
  - Any notifications to ICE/ERO about the placement of Parady La in any form of segregation and/or any updates to segregation status;
  - Any Special Management Housing Unit Record or comparable record created upon Parady La’s placement in any form of segregation;
  - Any records of any FDC medical staff member or ICE medical staff member visiting Parady La during his placement in any form of segregation;
- Records of any decision to place or not to place Parady La in a cell by himself, including records related to the observation of Parady La while he was in the cell, such as log books or medical evaluations;
- Records of any decision to place or not to place Parady La in a “Dry Cell,” including records related to the close observation of Parady La in a Dry Cell and the results of any urine test taken during his placement in a Dry Cell;
- Records of any suspected contraband found on the person, in the possession of, or among the belongings of Parady La, including the chain of custody of the suspected contraband;
- Records of any correspondence relating to the transport of Parady La to and from the FDC, including ambulance or EMS records.

### **Medical Care Records**

- Any records of, regarding, or related to:
  - The medical treatment, care, symptoms, observation, history, and diagnoses of Parady La, from January 6, 2026 to January 9, 2026 (the entire duration of Mr. La’s time in ICE custody);
  - The psychiatric, psychological, counseling, behavioral therapy, and mental health treatment, care, symptoms, observation, history, and diagnoses of Parady La, from January 6, 2026 to January 9, 2026;

- Any emergency medical care provided to Parady La by any medical provider, whether a member of the FDC medical staff, ICE medical staff, or an outside doctor, EMS, or other authorized medical care provider, from January 6, 2026 to January 9, 2026;
- Any records provided by NaphCare as it relates to Parady La's medical treatment;
- Any medical or mental health intake documents created upon Parady La's admission to FDC Philadelphia;
- Any notes or records taken by FDC staff, ICE staff, or medical providers at or near the time of Parady La's admission to FDC Philadelphia about his health, appearance, mental state, or medical symptoms;
- Any records related to treating Parady La for drug withdrawal, including opioid withdrawal, from January 6 to January 9, 2026;
- Any records related to the use of an Automated External Defibrillator ("AED") on Parady La from January 6 to January 9, 2026;
- Any records related to the performance of Cardiopulmonary Resuscitation on Parady La from January 6 to January 9, 2026;
- Any records related to the use of Narcan, naloxone, or any other treatment intended to reverse a drug overdose, on Parady La from January 6 to January 9, 2026.

### **Autopsy Report and Related Documents**

- Any autopsy report and related documents, including but not limited to toxicology reports and documents summarizing a cause of death, created by the Philadelphia City Coroner's Office, Medical Examiner's Office, or other related entity, when conducting a forensic autopsy of Parady La;
- Any reports or documents pertaining to a forensic autopsy of Parady La conducted by IHSC;
- Any documents sent to ICE by the Philadelphia Coroner's Office or other Philadelphia county or city office related to Parady La's death;
- Any documents sent to ICE by Thomas Jefferson University Hospital related to Parady La's death.
- Any records related to the transportation and removal of Parady La and/or his bodily remains on or around January 9, 2026.

### **Video/Photos**

- Any and all photographs, videos, visual recordings, or audio recordings, taken of:
  - Parady La in the intake room/cell, including any interactions between him and FDC facility staff or ICE staff, taken between 12:01 am on January 6, 2026 and 3:22 am on January 9, 2026;
  - Parady La in his assigned cell, including any searches of his possessions or interactions between him and FDC facility staff or ICE staff, taken between 12:01 am on January 6, 2026, and 3:22 am on January 9, 2026;
  - Parady La in any other cell, including any segregation cell to which he was assigned, his bodily remains, and/or his treatment or handling, taken at FDC and/or within any vehicle transporting him, taken between 12:01 am on January 6, 2026, and 3:22 am on January 9, 2026;

- Any use-of-force incident involving Parady La on any date during his detention at FDC;
- Attempts to provide emergency medical care, including but not limited to resuscitation attempts; the use of Narcan, naloxone, or any other treatment intended to reverse a drug overdose; the use of an AED; or the performance of CPR on or to Parady La, whether by FDC staff, ICE staff, or an outside doctor, EMT, or other authorized medical provider, taken between 12:01 am on January 6, 2026, and 3:22 am on January 9, 2026;
- Any video showing Parady La from the time facility staff or ICE staff administered Narcan to the time he was transported to a local hospital from FDC.

### Calls

- Any records, metadata, transcripts, or written translation of phone calls made by Parady La from January 6, 2026 to January 9, 2026;
- Any recordings of phone calls made by Parady La from January 6, 2026, to January 9, 2026;
- Any records of phone calls made to first responders, including but not limited to local police, the Philadelphia County Sheriff, Philadelphia Fire Department, the Philadelphia EMS, other EMS, or 911, on or about January 9, 2026.

### Witness Statements

- Any incident statements related to Parady La's death or treatment while detained at FDC;
- Any incident statements related to any suspected or alleged disciplinary infraction involving Parady La.

### Investigations

- Any and all Significant Incident Reports created by the Philadelphia Field Office or facility staff at FDC about Parady La;
- Any and all materials related to Parady La created by ICE or its contractors in routine course following the death of a detainee, including but not limited to those detailed in ICE Directive 11003.5<sup>5</sup>, such as:
  - Detainee Death Review;
  - After-Incident Report;
  - Healthcare and Security Compliance Analysis (whether prepared by Creative Corrections, another contractor, or IHSC);
  - Root Cause Analysis Report;
  - Mortality Review (whether preliminary or final);
- Any record requests made by ERO to FDC following Parady La's death, as well as any and all responsive documents to such requests;
- Any interview notes from investigations by ERAU and/or Creative Corrections;
- Any schedules of on-site interviews with witnesses to Parady La's death, whether FDC facility staff or detainees, by any entity within or contracted by ICE to investigate Parady La's death;

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<sup>5</sup> ICE Directive 11003.5: *Notification, Review, and reporting Requirements for Detainee Deaths*, U.S. IMMIGR. & CUSTOMS ENF'T (Oct. 25, 2021) <https://www.ice.gov/doclib/detention/directive11003-5.pdf>.

- Any records from investigations into Parady La’s death conducted by BOP, including by a Special Investigative Agent (“SIA”);
- Any records from investigations conducted by independent law enforcement, including local police or the Philadelphia County Sheriff;
- Any records from investigations into Parady La’s death by CRCL.

### **Emails/Correspondence**

- Any correspondence or record of contact between ICE personnel and any representative of Thailand, Cambodia, and of any other country regarding Parady La. This includes but is not limited to communications regarding the possibility of removing him to that country, communications regarding requests for travel documents, travel arrangements, and/or inquiries into citizenship and/or nationality. The date range for this search is January 1, 2003 to January 9, 2026;
- Copies of any attachments received or sent by ICE personnel to any representative of any country to which ICE has communicated with regarding Parady La that is related to the possibility of removing and/or detaining him, including but not limited to any requests for travel documents prepared and sent by ICE to any representative of any country;
- Notification of Parady La’s death to his country of origin’s consulate;
- Notification of Parady La’s death to the Joint Intake Center;
- Notification of Parady La’s death to his next of kin;
- Condolence letter to Parady La’s next of kin;
- Disposition of Parady La’s remains;
- Communications between ICE and FDC regarding Parady La, including:
  - Any disciplinary issues the facility reported regarding Parady La;
  - Parady La’s health or mental health status from January 6, 2026 to January 9, 2026;
  - Notification of Parady La’s death;
  - Requests by ICE for further information about Parady La’s death;
- Communications between the ICE Office of Legislative Affairs and members of Congress about Parady La’s death;
- Communications regarding Parady La’s death between:
  - The Philadelphia Field Office and CRCL;
  - The Philadelphia Field Office and OIG;
  - The Philadelphia Field Office and OIDO;
  - The Philadelphia Field Office and IHSC;
  - The Philadelphia Field Office and BOP;
  - Any other entity within ICE and another entity within or external to ICE;
- Any records of phone calls between ICE or FDC facility staff and any offsite medical facility, including hospitals, emergency rooms, medical clinics, Emergency Medical Services, or mental health inpatient or outpatient facilities on or about January 9, 2026;
- Communications between DHS and any media, press, and/or journalists, regarding Parady La’s death;
- Requests for, notifications to, arrival of, delays of, actions of, movement through the facility, and departure of medical, emergency, ambulance, fire, police, sheriff, and/or other first responders at, for, or from, FDC on January 9, 2026;

- Communications with, inquiries to, notifications to, and information provided to any insurer or claims department regarding the death or injuries of Parady La.

### **Contract Compliance**

- Copy of operative agreement between the Federal Bureau of Prisons and ICE regarding the detention of people for ICE at FDC;
- Any Quality Assurance Surveillance Plan (“QASP”) or similar plan in effect at FDC on January 6, 2026;
- Any Uniform Corrective Action Plan (“UCAP”) or similar plan created in response to Parady La’s death;
- Any contractor reports updating ICE’s Contracting Officer on the status of or implementation of the UCAP;
- Any Contract Discrepancy Report created in response to Parady La’s death;
- Any communications between ICE and FDC facility staff regarding a Contract Discrepancy Report;
- Any chart or matrix created by ICE for FDC facility staff or GEO to complete regarding contract compliance, and, if available, FDC facility staff or GEO’s responses thereto;
- Any communications in any form between ICE and GEO regarding fines or penalties arising out of Parady La’s death at FDC.

### **Philadelphia Federal Detention Center Staffing/Logbooks**

- The 24-hour Building Schedule for FDC for January 6-9, 2026;
- The Shift Rosters for FDC’s SHU/SMU, Medical Unit, and the general population unit in which Mr. La was detained, for January 6-9, 2026;
- FDC’s staffing plan;
- Log-book entries for staff assigned to conduct rounds in any of the units that Parady La was detained in, including his housing unit, medical, SHU, SMU, or other form of segregation in which Mr. La was placed, from 12:01 am on January 6, 2026, to 12:01 pm on January 9, 2026.

### **Policies, Procedures, and Trainings**

- Any policies, post orders, or guidelines operational at FDC (and in particular, the unit of FDC used to house ICE detainees) between January 6, 2026 and the date a search is conducted pursuant to this Request, related to:
  - Intake protocols, including any protocols to screen people for withdrawal from narcotics or other substances;
  - Withdrawal treatment protocols provided by FDC, including identifying when a person may be experiencing withdrawal symptoms;
  - Overdose treatment protocols provided by FDC;
  - Medical standards on narcotics withdrawal and overdose, including treatment plans and best practices;
  - Supervision of detainees in any form of segregation;
  - The provision of medical care to detainees in the Special Housing Unit;
  - The placement and supervision of a detainee in a Dry Cell;

- CPR/first aid training for FDC staff, including on the usage of first aid equipment including but not limited to an Automated External Defibrillator (“AED”), external oxygen tanks, Lucas devices, and other emergency equipment;
- The use of Narcan/Naloxone on detainees;
- Any trainings, training outlines, training PowerPoints, lesson plans, comprehension assessments, or other materials related to decisions to place detainees in any form of segregation, and/or supervision of detainees in these settings, created or in operation between January 9, 2026, and the date a search is conducted pursuant to this Request.

**Other:**

- Public records requests made regarding Parady La and any responsive records provided, between January 9, 2026, and the date a search is conducted pursuant to this Request.

**C. Request Parameters**

Please construe this as an ongoing FOIA request, so that any records that come within the possession of the agency prior to your final response to this FOIA Request should also be considered within the Request’s scope.

Where available, we ask that records responsive to this Request be produced in the original electronic format with all metadata and load files. We ask that any records produced in PDF, TIFF, or other image formats be produced in full, uncompressed form; please do not compress images or downsample the resolution, as this interferes with their legibility. To facilitate a speedy response, we ask that records responsive to this request be produced on a rolling basis.

Where available, we ask that records responsive to this Request be produced in the original electronic format with all metadata and load files. *Please preserve all “parent-child” relationships for any communication produced, meaning that the Requester must be able to identify the attachments with emails.*

ICE records may refer to Mr. La by his A number only, [REDACTED] or by his BOP number [REDACTED], and as such, a search by his A number and BOP number should also be conducted.

Additionally, Requester does not seek the names or contact information of individuals (other than Parady La) or other exempt personal identifiable information of people referenced in the records requested herein. If any of the requested records contain exempt personal identifiable information, Requester asks that said personal identifiable information be redacted to ensure the maximum production of responsive relational information contained within the records. Nothing in this request should be construed as a waiver of Requester’s right to challenge any redactions made on the basis of personal identifiable information, including in the event of litigation regarding this FOIA request.

## II. The Requester

The ACLU of Pennsylvania is a non-profit, non-partisan organization and a state affiliate of the American Civil Liberties Union (ACLU), a national organization that works to protect civil liberties of all people, including the safeguarding of the basic constitutional rights that include due process of law and equal protection under the law. The ACLU of Pennsylvania represents Jazmine La, daughter and next-of-kin of Parady La.

## III. Request for Fee Waiver

The ACLU of Pennsylvania requests that any fees associated with responding to this FOIA Request be waived. Pursuant to 5 U.S.C. § 552(a)(4)(A)(iii) and 6 C.F.R. § 5.11(k), fees should be waived or reduced if disclosure is (1) in the public interest because it is “likely to contribute significantly to public understanding of the operations or activities of the government,” and (2) “not primarily in the commercial interest of the requester.” Disclosure in this case meets both tests. The ACLU of Pennsylvania also requests a waiver on the basis that it qualifies as a “representative[] of the news media” and the records are not sought for commercial use. *See* § 552(a)(4)(A)(ii)(II); 6 C.F.R. § 5.11(d)(1).

### A. The Request is likely to contribute significantly to public understanding of the operations or activities of the government.

As a federal agency, ICE’s actions, including its practices related to immigration detention, constitute government operations or activities. The health and safety of people detained by ICE is of great concern to the general public. As a result, this Request is likely to contribute to the public understanding of the operations or activities of the government, meriting a fee waiver. 5 U.S.C. § 552(a)(4)(A)(iii).

ICE acknowledges, “Any death that occurs in ICE custody is a significant cause for concern.”<sup>6</sup> ICE Directive 11003.5 mandates that ICE’s Office of Public Affairs must post an interim notice of the detainee death to ICE’s public-facing website within 48 hours (or sooner, if practicable),<sup>7</sup> even while – by ICE’s own account – the agency is only congressionally required to “make public all reports regarding in custody deaths within 90 days.”<sup>8</sup> This fast public reporting timeline underscores the significant public interest in deaths in immigration detention.

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<sup>6</sup> *Detainee Death Reporting*, U.S. IMMIGR. & CUSTOMS ENF’T, <https://www.ice.gov/detain/detainee-death-reporting>

<sup>7</sup> ICE Directive 11003.5: *Notification, Review, and Reporting Requirements for Detainee Deaths*, *supra*, note 5.

<sup>8</sup> *Detainee Death Reporting*, *supra*, note 6.

Mr. La's death has already received media coverage in local<sup>9</sup> and national<sup>10</sup> media sources. Furthermore, various national advocacy groups have disseminated statements on his death to their members and followers.<sup>11</sup> Despite this coverage, ICE has released few details publicly about the actual circumstances of his death and instead released a derogatory statement that emphasized Mr. La's previous criminal contacts.<sup>12</sup> Many questions related to Mr. La's death remain – questions that are both in the public interest to understand, and can help provide his loved ones a better understanding of his final days.

The Records subject to this Request will contribute to the public understanding of Mr. La's death.

**B. Disclosure is not primarily in the commercial interest of the ACLU of Pennsylvania.**

The ACLU of Pennsylvania is not filing this request to further a commercial interest.

The ACLU and its affiliates, including the ACLU of Pennsylvania, have a longstanding practice of disseminating information obtained through FOIA at no cost, in order to further the public's understanding of immigration laws and policy – and also have a wide network with which to share the information.<sup>13</sup> For instance, in 2016, the ACLU used documents obtained through FOIA requests to ICE, together with documents that the National Immigrant Justice Center (NIJC) obtained through FOIA, to publish a joint report with Detention Watch Network entitled *Fatal Neglect: How ICE Ignores Death in Detention*.<sup>14</sup> This report described how ICE's inadequate responses to its internal death review findings contributed to ongoing substandard medical care in detention, and has received significant public and congressional attention.

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<sup>9</sup> See e.g., Jeff Gammage, *A Cambodian Immigrant Held by ICE Died at a Philly Hospital After Treatment for Drug Withdrawal*, PHILADELPHIA INQUIRER (Jan. 10, 2026) <https://www.inquirer.com/news/ice-death-philly-cambodia-immigration-20260110.html>; TaRhonda Thomas, *Family Questions Treatment of Cambodian Immigrant Who Died in ICE Custody in Philadelphia*, 6ABC ACTION NEWS (Jan. 12, 2026) <https://6abc.com/post/family-questions-treatment-cambodian-immigrant-died-ice-custody-philadelphia/18392586/>; Sunny Morgan, *ICE Detainee Dies at Philly Hospital After Drug Withdrawal Treatment*, KYW NEWSRADIO (Jan. 11, 2026) <https://www.audacy.com/kywnwsradio/news/local/ice-detainee-dies-at-philly-hospital-after-drug-withdrawal>.

<sup>10</sup> See, e.g., Ted Hesson, *Four Migrants Die in US Immigration Custody Over First 10 Days of 2026*, REUTERS (Jan. 12, 2026) <https://www.reuters.com/legal/government/four-migrants-die-us-ice-custody-over-first-10-days-2026-2026-01-12/>; Ashleigh Fields, *Four Migrants Die in US Custody Over First 10 Days of Year*, YAHOO NEWS (Jan. 13, 2026) <https://www.yahoo.com/news/articles/4-migrants-die-us-custody-164509619.html>; Pedro Camacho, *Four Migrants Die in ICE Custody in First 10 Days of the Year Following Record Toll in 2025*, LATIN TIMES (Jan. 13, 2025) <https://www.latintimes.com/four-migrants-die-ice-custody-first-10-days-year-following-record-toll-2025-593502>.

<sup>11</sup> See, e.g., *4 ICE Detention Deaths in Just 10 Days Into The New Year*, DETENTION WATCH NETWORK (Jan. 12, 2026), <https://www.detentionwatchnetwork.org/pressroom/releases/2026/4-ice-detention-deaths-just-10-days-new-year>; Andrew Free, *Escalating: ICE Announces Fourth Death in Detention in 10 Days – 2<sup>nd</sup> in BOP Facility in 2 Years*, DETENTION KILLS (Jan. 10, 2026), <https://detentionkills.substack.com/p/escalating>.

<sup>12</sup> *Career criminal, illegal alien in ICE custody passes away at local hospital*, ICE, January 10, 2026, <https://www.ice.gov/news/releases/career-criminal-illegal-alien-ice-custody-passes-away-local-hospital>

<sup>13</sup> The ACLU of Pennsylvania has more than 55,430 followers on social media and over 85,700 e-mail subscribers who receive updates on the ACLU of Pennsylvania's activities.

<sup>14</sup> ACLU, Detention Watch Network & NIJC, *Fatal Neglect: How ICE Ignores Death in Detention*, ACLU (Feb. 24, 2016), <https://www.aclu.org/report/fatal-neglect-how-ice-ignores-death-detention>.

The ACLU of Pennsylvania has the ability to widely disseminate the requested information through a variety of sources including reports, newsletters, news briefings, and right-to-know handbooks. These materials would be made available to the public at no cost.

As such, the ACLU of Pennsylvania satisfies the test for a fee waiver. *See Jud. Watch, Inc. v. Rossotti*, 326 F.3d 1309, 1312 (D.C. Cir. 2003) (“Congress amended FOIA to ensure that it be liberally construed in favor of waivers for noncommercial requesters” (internal quotation marks omitted)). *Citizens for Resp. and Ethics in Wash. v. U.S. Dept. of Educ.*, 593 F. Supp. 2d 261, 268 (D.D.C. 2009) (“[FOIA’s] purpose . . . is to remove the roadblocks and technicalities which have been used by . . . agencies to deny waivers”) (internal quotation marks and citation omitted)).

**C. The ACLU of Pennsylvania also qualifies for a fee waiver because it is a representative of the news media and the records are not sought for commercial use.**

The ACLU of Pennsylvania is also entitled to a fee waiver of search fees on the grounds that it qualifies as a “representative of the news media” and the records are “not sought for commercial use.” 5 U.S.C. § 552(a)(4)(A)(ii)(II).

The ACLU of Pennsylvania meets the statutory and regulatory definitions of a “representative of the news media” because it is an “entity that gathers information of potential interest to a segment of the public, uses its editorial skills to turn the raw materials into a distinct work, and distributes that work to an audience.” 5 U.S.C. § 552(a)(4)(A)(ii)(III); *see also Nat'l Sec. Archive v. U.S. Dep't of Def.*, 880 F.2d 1381, 1387 (D.C. Cir. 1989) (finding that an organization that gathers information, exercises editorial discretion in selecting and organizing documents, “devises indices and finding aids,” and “distributes the resulting work to the public” is a “representative of the news media” for purposes of the FOIA); *Serv. Women's Action Network v. U.S. Dep't of Def.*, 888 F. Supp. 2d 282, 290 (D. Conn. 2012) (requesters, including ACLU, were representatives of the news media and thus qualified for fee waivers for FOIA requests to the Department of Defense and Department of Veterans Affairs); *ACLU of Wash. v. U.S. Dep't of Just.*, No. C09-0642RSL, 2011 WL 887731, at \*10 (W.D. Wash. Mar. 10, 2011) (finding that the ACLU of Washington is an entity that “gathers information of potential interest to a segment of the public, uses its editorial skills to turn the raw materials into a distinct work, and distributes that work to an audience”); *see also Elec. Priv. Info. Ctr. v. Dep't of Def.*, 241 F. Supp. 2d 9, 10–15 (D.D.C. 2003) (finding non-profit public interest group that disseminated an electronic newsletter and published books was a “representative of the news media” for purposes of the FOIA); *Jud. Watch, Inc. v. U.S. Dep't of Just.*, 133 F. Supp. 2d 52, 53–54 (D.D.C. 2000) (finding Judicial Watch, self-described as a “public interest law firm,” a news media requester).

Similarly, obtaining information about government activity, analyzing that information, and widely publishing and disseminating that information to the press and public are critical and substantial components of the ACLU’s work and are among its primary activities. For example, the ACLU regularly publishes *ACLU Magazine* that reports on and analyzes civil liberties-related current events. The magazine is disseminated to over one million households. The ACLU of

Pennsylvania also publishes regular updates and alerts via email to approximately 85,700 people. These updates are additionally broadcast to about 55,430 social media followers (members and non-members). The magazine, email, and social-media alerts often include descriptions and analysis of information obtained through FOIA requests.

The ACLU and its affiliates also regularly issue press releases to call attention to documents obtained through FOIA requests, as well as other breaking news, and ACLU attorneys are interviewed frequently for news stories about documents released through ACLU FOIA requests. Similarly, the ACLU regularly publishes and disseminates reports that include a description and analysis of government documents obtained through FOIA requests. This material is broadly circulated to the public and widely available to everyone for no cost or, sometimes, for a small fee.

In sum, because disclosure of the requested documents is in the public interest and not primarily in the commercial interest of the ACLU of Pennsylvania, and because the ACLU of Pennsylvania is a representative of the news media, the Requester is entitled to a total waiver of fees associated with this Request and should, in no event, be required to pay more than reasonable standard charges for document duplication. In the event that you decide not to waive the fees, please provide the Requester with prior notice so that we can discuss arrangements.

\* \* \*

We appreciate your prompt attention to this Request and look forward to your reply to this Request within twenty (20) days, as required under 5 U.S.C. § 552(a)(6)(A)(i). Please furnish all responsive records to:

Vanessa Stine  
Senior Staff Attorney - Immigrants' Rights  
**AMERICAN CIVIL LIBERTIES UNION OF PENNSYLVANIA**  
P.O. Box 60173  
Philadelphia, PA 19102  
Tel: (215) 592-1513 x145

Finally, if this Request is denied in whole or in part, we ask that you justify all deletions by reference to specific exemptions of the FOIA. We expect the release of all segregable portions of otherwise exempt material. We reserve the right to appeal a decision to withhold any information or deny a waiver of fees. Please call me at (215) 592-1513 x145 if you have any questions or wish to obtain further information about the nature of the records in which we are interested.

Respectfully,

Vanessa Stine  
Senior Staff Attorney - Immigrants'  
Rights

American Civil Liberties Union  
of Pennsylvania  
P.O. Box 60173  
Philadelphia, PA 19102

### **Exhibit List**

Ex. A      Detainee Death Report: LA, Parady, published by U.S. Immigration & Customs Enforcement

Ex. B      Signed Next-of-Kin Declaration of Jazmine La, authorizing the release of records about Parady La to the ACLU of Pennsylvania