

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

DEMOCRACY FORWARD FOUNDATION,
P.O. Box 34553
Washington, D.C. 20043,

Plaintiff,

vs.

U.S. DEPARTMENT OF HOMELAND
SECURITY
2707 Martin Luther King Jr. Ave. SE
Washington, DC 20528-0485

IMMIGRATION AND CUSTOMS
ENFORCEMENT
500 12th Street SW, Stop 5900
Washington, DC 20536-5900

Defendants.

Case No. 25-cv-4089

COMPLAINT FOR INJUNCTIVE RELIEF

Plaintiff Democracy Forward Foundation (“DFF”) brings this action against Defendants U.S. Department of Homeland Security (“DHS”) and Immigration and Customs Enforcement (“ICE”) to compel compliance with the Freedom of Information Act, 5 U.S.C. § 552 (“FOIA”). Plaintiff alleges as follows:

Jurisdiction and Venue

1. This Court has jurisdiction over this action pursuant to 5 U.S.C. § 552(a)(4)(B) and 28 U.S.C. § 1331.
2. Venue is proper under 28 U.S.C. § 1391(e), as Defendants’ headquarters are located in Washington, D.C., within this district, and a substantial part of the events or omissions giving

rise to Plaintiff's claims occurred here.

Parties

3. Plaintiff DFF is a not-for-profit organization incorporated under the laws of the District of Columbia and based in Washington, D.C. Plaintiff works to promote transparency and accountability in government, in part, by educating the public on government actions and policies.

4. Defendant DHS is a federal agency within the meaning of FOIA, 5 U.S.C. § 552(f)(1), and is headquartered in Washington, D.C. DHS has possession, custody, and control of records to which Plaintiff seeks access.

5. Defendant ICE is a federal agency within the meaning of FOIA, 5 U.S.C. § 552(f)(1), and is headquartered in Washington, D.C. ICE has possession, custody, and control of records to which Plaintiff seeks access.

Facts

6. On September 30, 2025, at around 1 a.m., federal agents conducted a military-style raid on a Chicago apartment building—a deeply concerning operation in the Trump-Vance Administration's immigration enforcement agenda.¹

7. As agents worked their way through the building, media outlets reported that they kicked down doors, detonated flash bang grenades, and zip tied sobbing children.²

8. Reportedly, nearly all residents in the building were detained as part of this immigration raid, including U.S. citizens.³

¹ See Rebecca Schneid, "Military-Style" ICE Raid on Chicago Apartment Building Shows Escalation in Trump's Crackdown, Time (Sept. 30, 2025), <https://time.com/7323334/ice-raid-chicago-pritzker-trump/>.

² See, e.g., *id.*

³ See Rebekah Riess & Bill Kirkos, *Chicago apartment ICE raid leaves 37 arrested and children temporarily separated from parents*, CNN (Oct. 3, 2025), <https://www.cnn.com/2025/10/03/us/chicago-apartment-ice-raid>.

9. Members of Congress have expressed outrage over the conduct of this operation and have pressed DHS for information about the manner in which the raid was conducted.⁴

Subsequent reporting has revealed that many detained in the raid had no criminal records.⁵

10. On October 2, DHS published a video on social media valorizing this action.⁶

11. The video splices together footage of the raid from numerous camera angles, indicating that it was a compilation of a substantial quantity of footage edited for public relations purposes.⁷

12. To shed light on the Trump-Vance Administration's unlawful and unconscionable immigration actions, DFF filed several FOIA requests:

ICE Chicago Raid Videos

13. On October 7, 2025, DFF sent a FOIA request to DHS and ICE seeking the following:

All raw video and/or audio footage in the possession of DHS and/or ICE of the South Shore Chicago apartment complex raid conducted on or around September 30, 2025, in which dozens of individuals were detained and from which DHS published edited footage: <https://x.com/DHSgov/status/1973796727615598738>.

14. This request sought records from September 27, 2025, until the date of the search.

15. ICE assigned this request tracking number 2026-ICFO-00720 in the SecureRelease portal.

⁴ See Letter from Hon. Bennie Thompson, Ranking Member, H. Comm. on Homeland Sec., et al., to Hon. Kristi Noem, Sec'y of Homeland Sec., et al. (Oct. 6, 2025), <https://democrats-homeland.house.gov/imo/media/doc/20251006tnoembondifchsdemshjcdemsrechicagoraid.pdf>.

⁵ See Melissa Sanchez et al., *"I Lost Everything": Venezuelans Were Rounded Up in a Dramatic Midnight Raid but Never Charged with a Crime*, ProPublica (Nov. 13, 2025), <https://www.propublica.org/article/chicago-venezuela-immigration-ice-fbi-raids-no-criminal-charges>.

⁶ See DHSgov (@DHSgov), X (Oct. 2, 2025, at 1:06 PM), <https://x.com/DHSgov/status/1973796727615598738>.

⁷ *Id.*

16. DHS assigned this request tracking number 2026-HQFO-00061 in the SecureRelease portal.

17. DFF has received no further communication regarding this FOIA request.

ICE Training Materials

18. On October 17, 2025, DFF sent a FOIA request to DHS and ICE seeking the following:

1. All handbooks, training manuals, standard operating procedures, or similar documents disseminated to ICE officers in the division of Enforcement and Removal Operations (“ERO”) that concern the conduct of operations and arrests, the need for or execution of warrants, the conditions of detention, and/or compliance with constitutional protections.

2. All records reflecting the training provided to ICE officers in ERO regarding the Fourth Amendment of the U.S. Constitution, the circumstances under which individuals may be stopped, detained, or arrested, and when a warrant is or is not required.

3. All guidance, instructions, and directives sent to ICE officers in ERO concerning their conduct, behavior, and compliance with respect to constitutional rights, including the Fourth Amendment.

19. This request sought records from January 20, 2025, until the date of the search.

20. The request specified that Defendants need not produce documents already available in the FOIA reading room.

21. ICE assigned this request tracking number 2026-ICFO-02073 in the SecureRelease portal.

22. DHS assigned this request tracking number 2026-HQFO-00175 in the SecureRelease portal.

23. DFF has received no further communication regarding this FOIA request.

Exhaustion of Administrative Remedies

24. As of the date of this Complaint, Defendants have failed to notify DFF of determinations regarding the FOIA requests described herein. Through Defendants' failure to respond within the time limits required by law, DFF has constructively exhausted administrative remedies on these requests. 5 U.S.C. § 552(a)(6)(C)(i).

CLAIM FOR RELIEF

Count 1 (Violation of FOIA, 5 U.S.C. § 552)

1. Plaintiff incorporates by reference the foregoing paragraphs as though fully set forth herein.

2. By failing to respond to Plaintiff's requests with determinations within the statutorily mandated time period, Defendants have violated their duties under 5 U.S.C. § 552, including but not limited to, their duties to conduct a reasonable search for responsive records, to take reasonable steps to release all nonexempt information, and to not withhold responsive records.

REQUEST FOR RELIEF

WHEREFORE, Plaintiff requests that this Court:

1. Order Defendants to conduct adequate searches for any and all responsive records to Plaintiff's FOIA requests using search methods reasonably calculated to lead to discovery of all responsive records;
2. Order Defendants to produce any and all non-exempt responsive records and a *Vaughn* index of any responsive records withheld under a claim of exemption;
3. Enjoin Defendants from continuing to withhold any and all non-exempt responsive records;
4. Award Plaintiff its costs, attorneys' fees, and other disbursements for this action;

and

5. Grant any other relief this Court deems appropriate.

Dated: November 21, 2025

Respectfully submitted,

/s/ Daniel A. McGrath

Daniel A. McGrath
(D.C. Bar No. 1531723)
Amy C. Vickery
(pro hac vice forthcoming)
Robin F. Thurston
(D.C. Bar No. 7268942)
Democracy Forward Foundation
P.O. Box 34553
Washington, D.C. 20043
(202) 448-9090
dmcgrath@democracyforward.org
avickery@democracyforward.org
rthurston@democracyforward.org