



U.S. Department of Justice
Office of Information Policy
Suite 11050
1425 New York Avenue, NW
Washington, DC 20530-0001

Telephone: (202) 514-3642

August 9, 2016

Ms. Natasha Amlani
Electronic Privacy Information Center
Suite 200
1718 Connecticut Avenue, NW
Washington, DC 20009
amlani@epic.org

Re: DOJ-2016-003626 (AG)
DOJ-2016-003627 (OLP)
DRH:SBT

Dear Ms. Amlani:

This is to acknowledge receipt of your Freedom of Information Act (FOIA) request dated and received in this Office on June 15, 2016, in which you requested records relating to evidence-based practices in sentencing, including policies, guidelines, source codes, and validation studies. This response is made on behalf of the Offices of the Attorney General and Legal Policy.

The records you seek require searches in other Offices, and so your request falls within "unusual circumstances." See 5 U.S.C. 552 § (a)(6)(B)(i)-(iii). Because of these unusual circumstances, we need to extend the time limit to respond to your request beyond the ten additional days provided by the statute. The time needed to complete our processing of your request will necessarily depend on the complexity of our records search and on the volume and complexity of any records located. For your information, this Office assigns incoming requests to one of three tracks: simple, complex, or expedited. Each request is then handled on a first-in, first-out basis in relation to other requests in the same track. Simple requests usually receive a response in about a month, whereas complex requests necessarily take longer. At this time, your request has been assigned to the complex track. In an effort to speed up our records search, you may wish to narrow the scope of your request to limit the number of potentially responsive records or agree to an alternative time frame for processing, should records be located; or you may wish to await the completion of our records search to discuss either of these options. You may also contact the Office of Government Information Services (OGIS) of the National Archives and Records Administration to inquire into the FOIA meditation services that they provide. OGIS can be contacted at the following:

Office of Government Information Services
National Archives and Records Administration
Room 2510
8601 Adelphi Road
College Park, MD 20740-6001

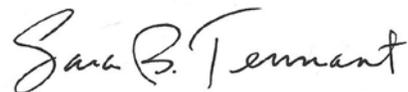
Telephone: (202) 741-5770
Facsimile: (202) 741-5769
Toll-Free: (877) 684-6448
Email: ogis@nara.gov

We have not yet made a decision on your request for a fee waiver. We will do so after we determine whether fees will be assessed for this request.

Lastly, to the extent you are seeking purchase contracts for risk assessment tools utilized by the Department of Justice, and because the FOIA operation for the Department is decentralized, you may want to direct this portion of your request to the Justice Management Division (JMD), as the Department component most likely to maintain such records, to the extent that they exist. You may also want to direct your request to the U.S. Parole Commission (USPC), given Attorney General Holder's 2014 statement for USPC to study the use of risk assessment algorithms, as referenced in your letter. Contact information for both JMD and USPC can be found on www.foia.gov.

I regret the necessity of this delay, but I assure you that your request will be processed as soon as possible. If you have any questions or wish to discuss reformulation or an alternative time frame for the processing of your request, you may contact me by telephone at the above number or you may write to me at the Office of Information Policy, United States Department of Justice, Suite 11050, 1425 New York Avenue, NW, Washington, DC 20530-0001. Lastly, you may contact our FOIA Public Liaison at the telephone number listed above to discuss any aspect of your request.

Sincerely,

A handwritten signature in cursive script that reads "Sara B. Tennant".

Sara B. Tennant
Senior Government Information Specialist