

Ms. Stevens -

If you have been unable to find responses on our website, <http://www.justice.gov/eoir>, you will need to submit a FOIA request for responses to your questions below. For information on how to file a FOIA request at EOIR, please see <http://www.justice.gov/eoir/efoia/foiafact.htm>.

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-----Original Message-----

From: Jacqueline Stevens [mailto:[jacqueline-stevens@northwestern.edu](mailto:jacqueline-stevens@northwestern.edu)]  
Sent: Wednesday, June 23, 2010 8:57 PM  
To: Komis, Elaine (EOIR)  
Subject: today's events

Hi Elaine,

First, it was really nice meeting you.

Now to the problems of today's encounter:

1) That was really funny, the ACIJ making a speech about transparency but on three occasions not answering my yes/no question about whether the Court Administrator's statement that she would need to notify the judge about my coming into her court was consistent with the EOIR's interpretation of 8 CFR 1003.27. Perhaps when Mr. Romig (I think, please correct me if this is not the right person) has more time to think he will share the answer to this question with me. Or perhaps someone else can. I'd appreciate that.

Again, the question is: is it the position of the EOIR that the public is not allowed to enter an immigration court prior to notification being made of the immigration judge of a visitor's intentions to attend a hearing?

2) Is it EOIR policy for a) the court administrator in the Falls Church HQ to require visitors to identify themselves by writing down their names and b) for visitors to provide, as the guard asked of me, "credentials"?

3) Is it consistent with EOIR policy for visitors to the immigration

courts at Falls Church to have to wait for an interview with the court administrator before being allowed into the immigration hearings?

There was a woman who, after I called through the locked door, opened the door and told me to wait and then told me that the court administrator wanted to speak with me. What was the court administrator's legal authority for this interview? Once I showed up and said I wanted to observe a hearing, what is the legal reason for me not being escorted to the hearing without being detained by a guard in a waiting area?

4) What is the legal justification for the court administrator requiring people who may be affiliated with the press to first have to meet with someone from the office of public affairs, as opposed to being shown directly into the court room? Because I did not deny that I might publish information learned in the hearings, I was required to meet with you--I was happy to finally meet you and appreciated the literary perfection of our first encounter in person occurring under circumstances that precisely illustrate EOIR's disregard for the rule requiring hearings to be open to the public as well as the First Amendment, which prohibits the government from discriminating against members of the press, as this delay most certainly did.

5) What is the legal authority for the court administrator to require that I write down my name before I can attend a hearing?

6) It's sort of interesting because usually you guys blame the following nonsense on DHS but the guy who did this to me is one of yours: does the EOIR believe that requiring visitors to have their personal information on a driver's license copied by a DOJ guard is consistent with public access to an immigration hearing as specified in 8 CFR 1003.27? (Of course this state identification is required for entering the building.) Officer Shields did this.

7) Can you please send me a copy of the EOIR policy that prohibits immigration judges from speaking with the media? Why does the EOIR impose restrictions on the free speech of immigration judges that are more stringent than those in place for Article 3 and other judges?

8) By the way, other administrative court judges for tax courts and social security courts are not subject to these restrictions, either. Why is the EOIR uniquely secretive in this way?

9) Why is the EOIR allowing Mr. Cassidy to continue to work in an immigration court when his demonstrable misconduct has been brought to the attention of the EOIR on numerous occasions for over more than a decade?

Finally, a happy ending: the hearing i attended was really interesting and I was very pleased that I was able to watch it, as well as observe the quality of the televideo

equipment at EOIR HQ, which is vastly superior to that I have seen anywhere else in the country.

Best wishes,

Jackie

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