



**U.S. Department of Justice**

**Executive Office for Immigration Review**

*Office of the General Counsel*

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5107 Leesburg Pike, Suite 2600  
Falls Church, Virginia 22041  
September 30, 2011

Jacqueline Stevens  
Department of Political Science  
Northwestern University  
601 University Place  
Evanston, IL 60208

**RE: Freedom of Information Act Request Regarding All Disciplinary Measures Against Immigration Judges and Other Documents Concerning Immigration Judge Misconduct Since 1990**

Dear Ms. Stevens:

This letter is in response to your Freedom of Information Act (FOIA) request, which the Executive Office for Immigration Review (EOIR) received on October 23, 2009. In your FOIA request, you seek all records of disciplinary measures taken by the EOIR, including the Board of Immigration Appeals, against Immigration Judges since 1990 as a result of a finding of misconduct; and all records characterizing or discussing Immigration Judge misconduct since 1990.

Pursuant to your telephone conversation with Senior Associate General Counsel Cecelia Espenoza on October 19, 2010, you agreed to limit your request to "reports" of misconduct that exist in the Office of the Chief Immigration Judge for the past two years. Enclosed are documents responsive to your request, which include the following: complaint disposition; the specific disciplinary action taken; and the number of cases referred to the Office of Professional Responsibility and the Office of the Inspector General.

If you are not satisfied with this decision, you may file an appeal with the Office of Information Policy (OIP), U.S. Department of Justice, 1425 New York Ave., N.W., Suite 11050, Washington, D.C. 20530. OIP must receive your appeal within 60 days of the date of this letter. The procedures for appeal are stated at 28 C.F.R. § 16.9.

Sincerely,



Crystal Souza  
Supervisory Program Specialist

Enclosure

EOIR FOIA # 2010-1583



## Complaints received between Apr 1, 2011 and Jun 30, 2011

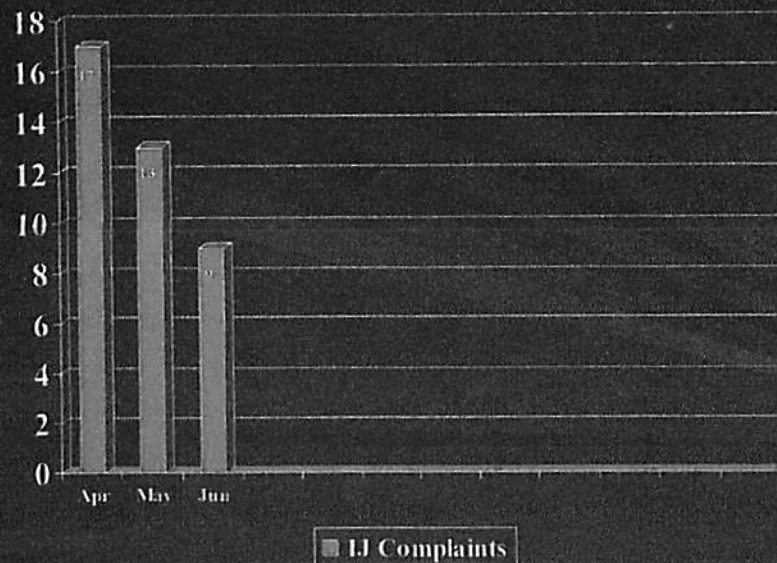
Complaints received: 39

*Number of Judges involved: 34*

Complaints closed: 34



## Complaints received Apr 1, 2011 thru Jun 30, 2011





## Resolution of complaints received between Apr 1, 2011 and Jun 30, 2011

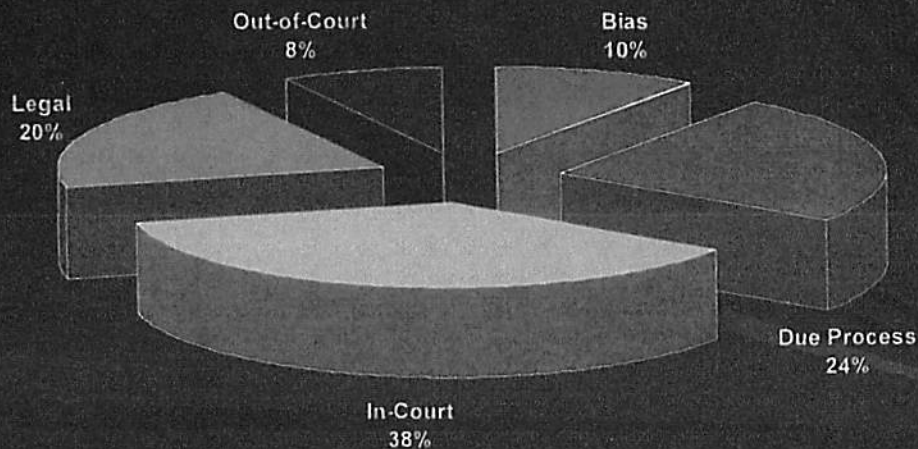
Resolved as	Complaints	%
Dismissed	7	21%
<i>Merits Related</i>	2	
<i>Not Substantiated</i>	1	
<i>Disproved</i>	1	
<i>Failure to state a claim</i>	2	
<i>Frivolous</i>	1	
Concluded <small>(e.g. retirement, resignation)</small>	6	18%
Disciplinary Actions*	0	0%
Informal Actions	21	61%

Total Number Resolved	34
Total Number Pending	5

\* For reporting purposes defined here as reprimand, suspension or removal



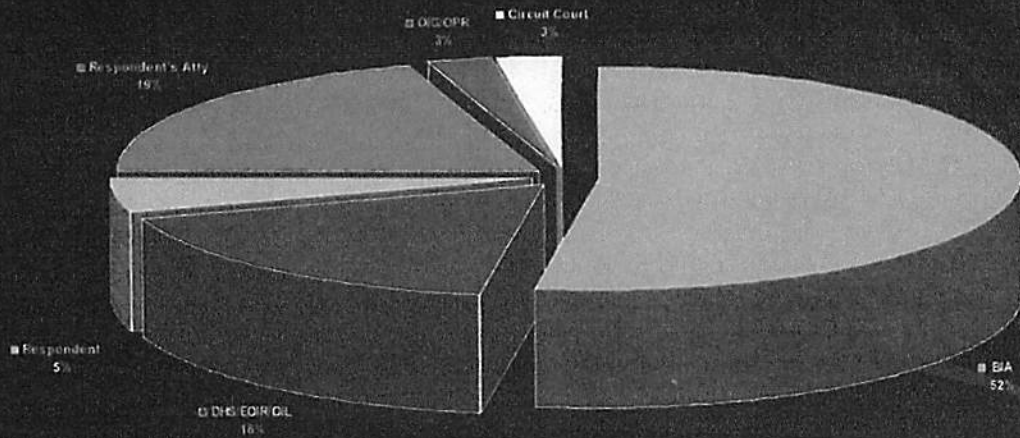
## Basis of complaints received between Apr 1, 2011 and Jun 30, 2011\*



\*Some complaints may have more than one basis.



## Sources of complaints received between Apr 1, 2011 and Jun 30, 2011\*



\*Some complaints may involve more than one source.



## Complaints received between Jan 1, 2011 and Mar 31, 2011

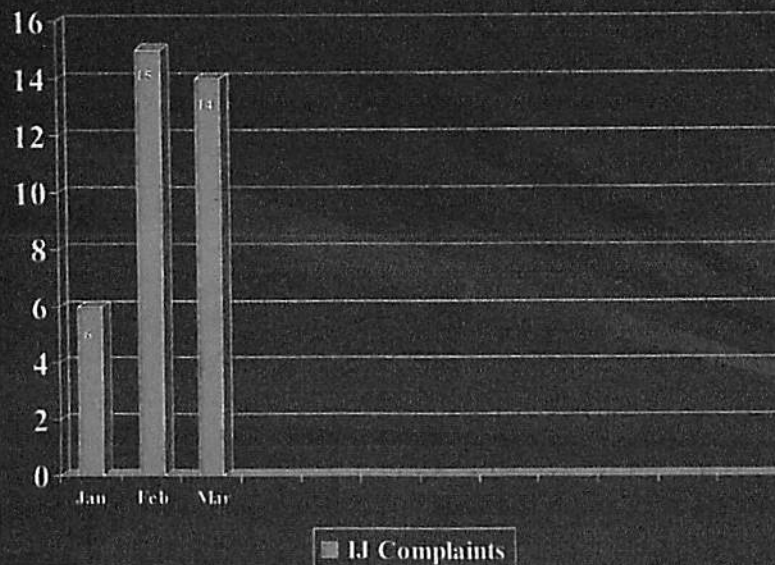
Complaints received: 35

*Number of Judges involved: 29*

Complaints closed: 22



## Complaints received Jan 1, 2011 thru Mar 31, 2011





## Resolution of complaints received between Jan 1, 2011 and Mar 31, 2011

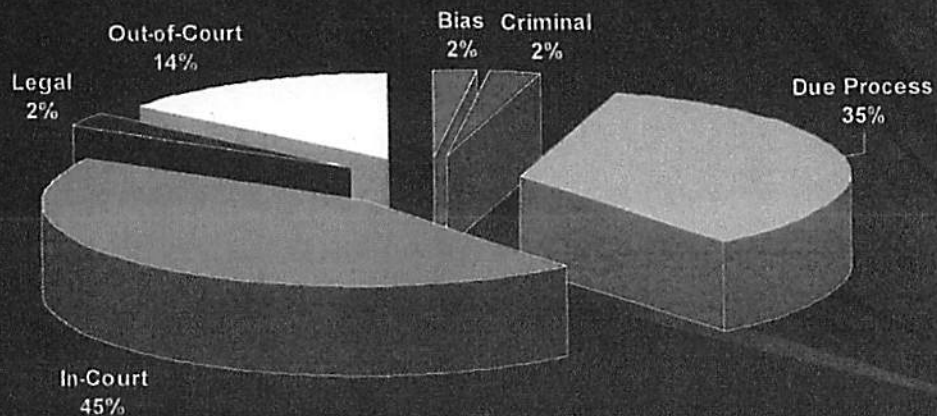
Resolved as	Complaints	%
Dismissed	9	40%
<i>Merits Related</i>	5	
<i>Not Substantiated</i>	4	
<i>Disproved</i>	0	
<i>Frivolous</i>	0	
Concluded <small>(e.g. retirement, resignation)</small>	3	14%
Disciplinary Actions*	1	5%
Informal Actions	9	41%

Total Number Resolved	22
Total Number Pending	13

\* For reporting purposes defined here as reprimand, suspension or removal



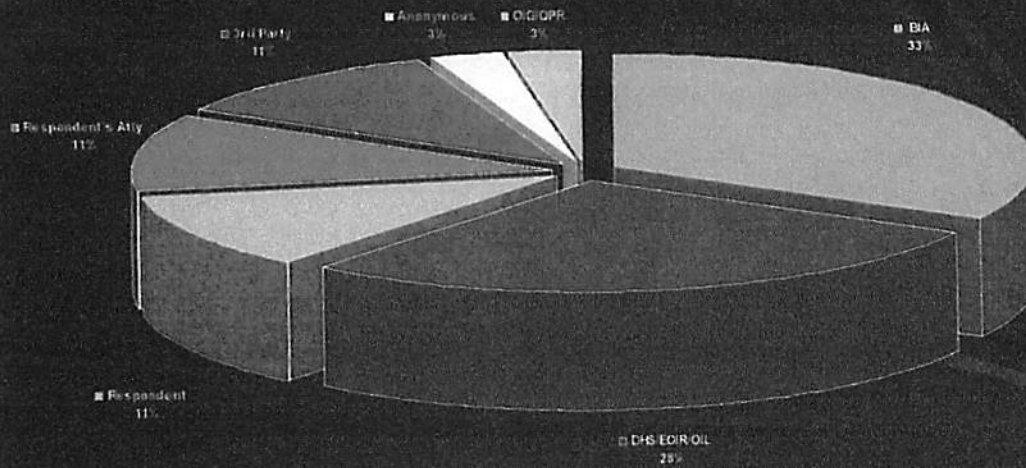
## Basis of complaints received between Jan 1, 2011 and Mar 31, 2011\*



\*Some complaints may have more than one basis.



## Sources of complaints received between Jan 1, 2011 and Mar 31, 2011\*



\*Some complaints may involve more than one source.



## Complaints received between Oct 1, 2010 and Dec 31, 2010

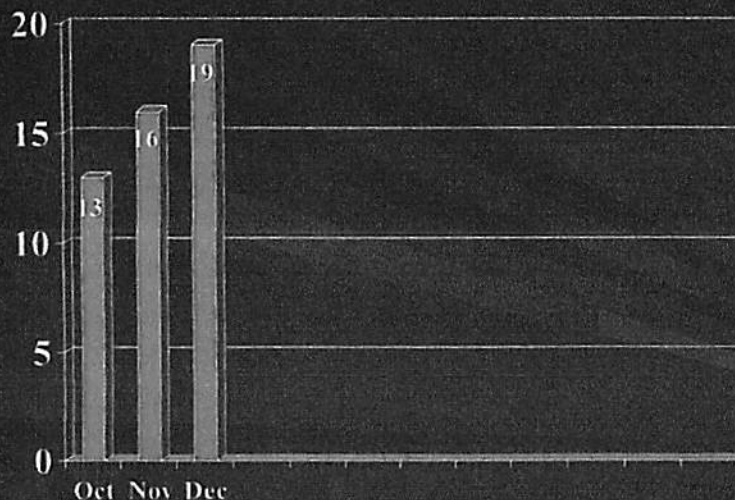
Complaints received: 48

*Number of Judges involved: 35*

Complaints closed: 31



## Complaints received between Oct 1, 2010 and Dec 31, 2010



■ IJ Complaints





## Resolution of complaints received between Oct 1, 2010 and Dec 31, 2010

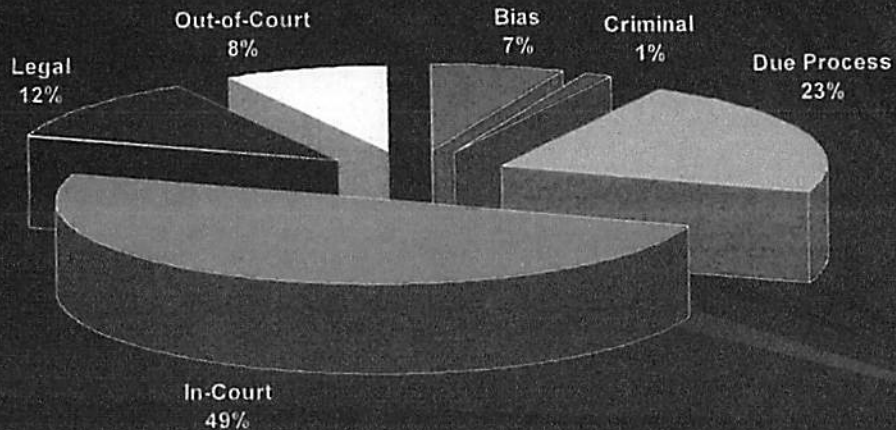
Resolved as	Complaints	%
Dismissed	15	49%
<i>Merits Related</i>	4	
<i>Not Substantiated</i>	9	
<i>Disproved</i>	1	
<i>Fivolous</i>	1	
Concluded <i>(e.g. retirement, resignation)</i>	2	6%
Disciplinary Actions*	1	3%
Informal Actions	13	42%

Total Number Resolved	31
Total Number Pending	17

\* For reporting purposes defined here as reprimand, suspension or removal



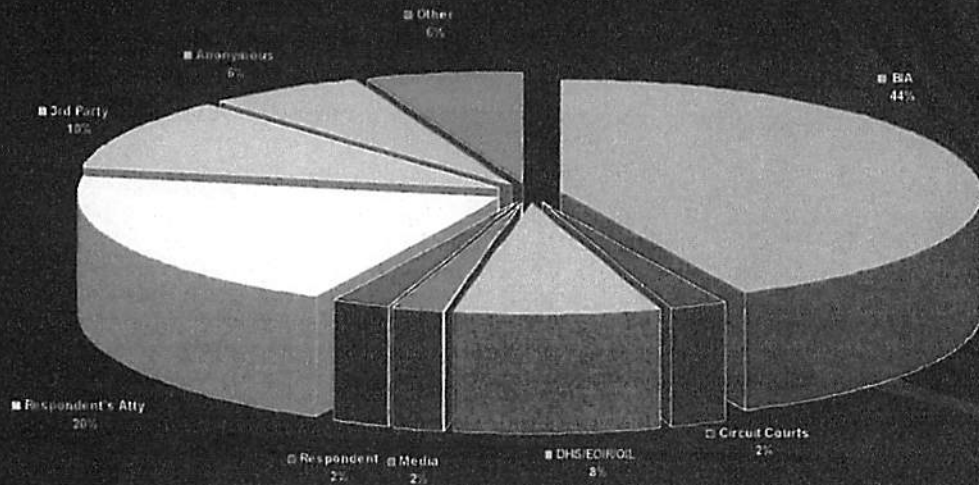
## Basis of complaints received between Oct 1, 2010 and Dec 31, 2010\*



\*Some complaints may have more than one basis



## Sources of complaints received between Oct 1, 2010 and Dec 31, 2010\*



\*Some complaints may involve more than one source.



## Complaints received between Oct 1, 2009 and Sep 30, 2010

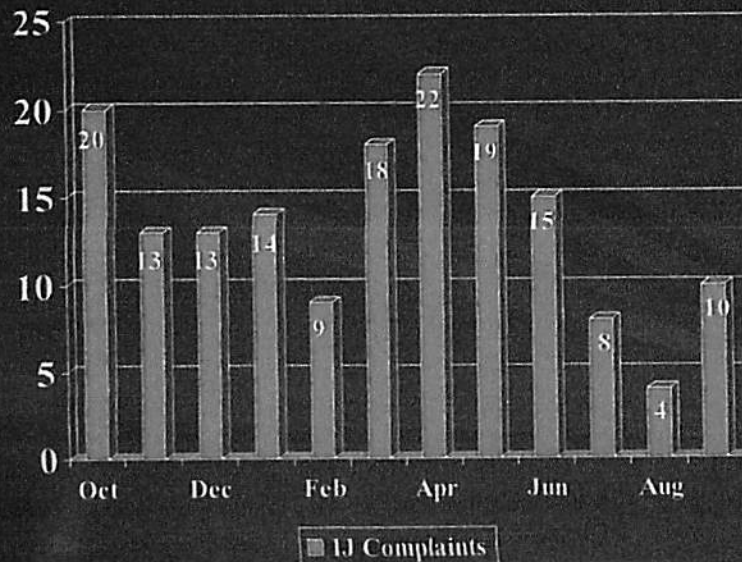
Complaints received: 166

*Number of Judges involved: 88*

Complaints closed: 152



## Complaints received between Oct 1, 2009 and Sep 30, 2010





## Resolution of complaints received between Oct 1, 2009 and Sep 30, 2010

Resolved as	Complaints	%
Dismissed	51	34%
<i>Failure to State a claim</i>	8	
<i>Merits Related</i>	15	
<i>Not Substantiated</i>	23	
<i>Disproved</i>	4	
<i>Frivolous</i>	1	
Concluded <small>(e.g. retirement, resignation)</small>	21	14%
Disciplinary Actions*	2	1%
Informal Actions	78	51%

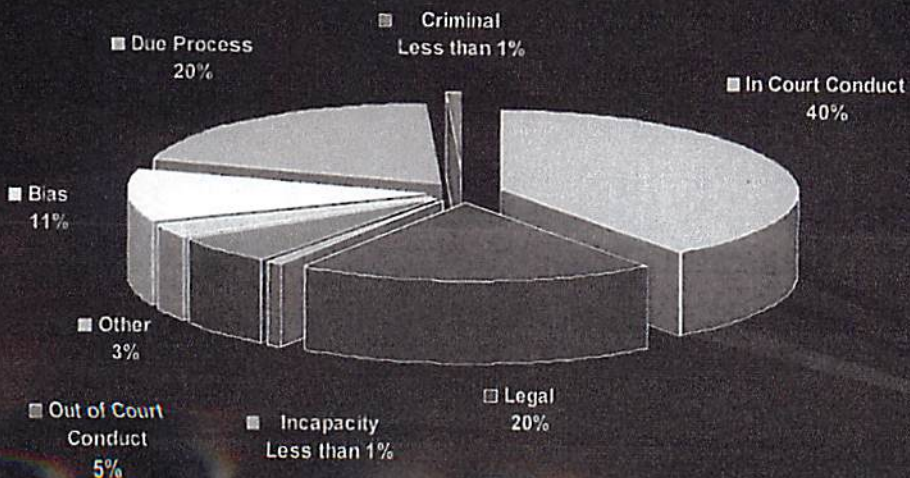
Total Number Resolved 152

Total Number Pending 14

\* For reporting purposes defined here as reprimand, suspension or removal



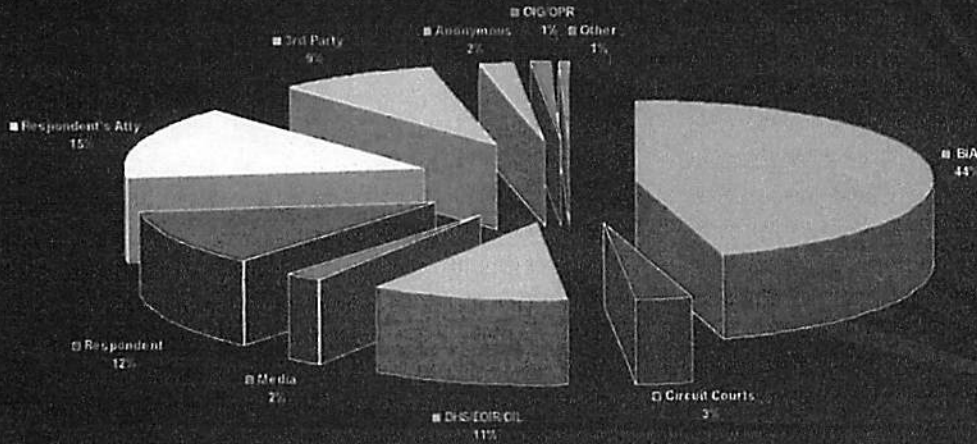
## Basis of complaints received between Oct 1, 2009 and Sep 30, 2010\*



Some complaints may have more than one basis



## Sources of complaints received between Oct 1, 2009 and Sep 30, 2010\*



\*Some complaints may involve more than one source.



## OPR/OIG Referred

Complaints Received between: Oct 1, 2009 and Aug 18, 2011

Complaints Table Index	Immigration Judge Name	Event Print Text
Non Responsive		Complaint referred to OIG
10 Complaint referred to OIG		
Non Responsive		Complaint referred to OPR
10 Complaint referred to OPR		
Summary		20
20	Summary	