

Congress of the United States
Washington, DC 20515

April 1, 2019

The Honorable Jose Serrano
Chairman
Subcommittee on Commerce, Justice, Science
Justice, Science
Committee on Appropriations
H-309 Capitol
Washington, DC 20510

The Honorable Robert Aderholt
Ranking Member
Subcommittee on Commerce,
Committee on Appropriations
1016 Longworth HOB
Washington, DC 20510

Dear Chairman Serrano and Ranking Member Aderholt:

As you begin work on the fiscal year 2020 Commerce, Justice, and Science Appropriations Bill, we respectfully request the inclusion of favorable bill and report language, and a funding amount that reflects the importance of the Legal Orientation Program (LOP), the Legal Orientation Program for Custodians of Unaccompanied Children (LOPC) and the Immigration Court Helpdesk program (ICH), specifically requiring expansion of the LOP program to all long-term immigration detention centers. As you know, the LOP/LOPC and ICH programs provide important services to noncitizens by helping them to better navigate the immigration system and secure their desired relief.

Hundreds of thousands of detained migrants have taken advantage of this program since its inception in 2003. Housed in the Executive Office for Immigration Reform (EOIR), LOP offers four components:

1. Group orientations by attorneys or paralegals to provide basic know your rights trainings;
2. Individual orientations that provide a more detailed overview of immigration court processes and forms of relief;
3. Self-help workshops for those who would like more information on specific topics, like asylum; and
4. Referrals to pro bono legal services.¹

The ICH program, a component of LOP, assists immigrants in non-detained removal proceedings with their legal cases by educating them about immigration law. EOIR works with nonprofit legal service providers in five immigration courts across the nation – in Los Angeles, Miami, Chicago, New York, and San Antonio – to provide important information about the court process, potential forms of relief, and a list of low-cost legal service providers.² Evidence has shown the LOP and ICH programs to be remarkably successful by fiscal, efficiency, and due process-related measures. A 2012 study conducted by the Department of

¹ <https://www.justice.gov/eoir/legal-orientation-program>

² <https://www.vera.org/projects/immigration-court-helpdesk/immigration-court-helpdesk-ich-courts>

Justice found that detained immigrants who received LOP completed their court proceedings more quickly and therefore remained detained for an average of six fewer days, yielding the government a net savings of more than \$17.8 million annually.³ Immigrants who utilize ICH are able to proceed more swiftly with their proceedings, as the Immigration Judge need not provide this information during valuable court time and individuals better understand the process. These efficiencies save taxpayer dollars, and are widely lauded by the Immigration Judges presiding over courtrooms where the helpdesk is present.

Currently legal orientation programs are operating in only 40 detention sites, leaving approximately *three quarters* of immigration detention centers entirely unserved.⁴ ICE's dramatic expansion of the immigration detention system has left an even greater number of asylum seekers and immigrants to face an immigration judge without having received so much as a basic orientation to their legal rights or the information to help them discern the difference between their legal obligations to ICE (i.e. check-ins) versus the immigration courts. This problem is exacerbated by ICE's practice of detaining individuals in remote locations, far from counsel and loved ones - a study conducted by the Los Angeles Times in 2017 found that about 30% of immigrants in detention are jailed more than 100 miles from the nearest government-listed legal aid resource on the "pro bono lists" distributed by ICE and the immigration courts.⁵

By ensuring that an adequate funding stream is dedicated to the LOP/LOPC and ICH, immigrants nationwide will be able to access these critical services and boost their due process rights. Based on the unique challenges detained immigrants face when defending against removal without counsel, we respectfully request that the LOP be funded at \$55 million. This increase in funds will allow expansion of the LOP program to all facilities where non-citizens are detained by ICE for longer than 72 hour periods, in addition to a significant expansion of the ICH program beyond the five courts where it is currently functioning.

Sincerely,



Veronica Escobar
Member of Congress





Bill Foster
Member of Congress

³ https://www.justice.gov/sites/default/files/eoir/legacy/2013/03/14/LOP_Cost_Savings_Analysis_4-04-12.pdf

⁴ <https://www.immigrantjustice.org/press-releases/trump-administration-ends-programs-educate-immigrants-detention-about-their-rights>

⁵ <https://www.latimes.com/projects/la-na-access-to-counsel-deportation/>


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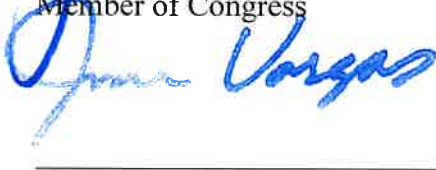

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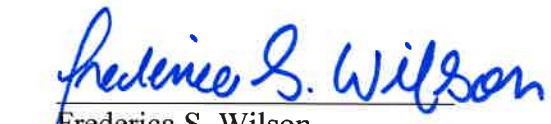

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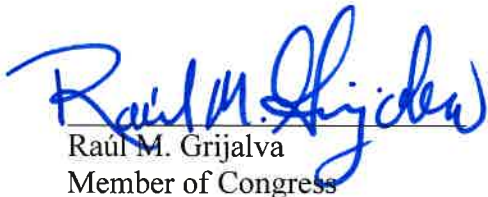
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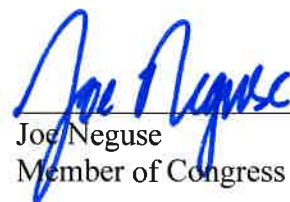
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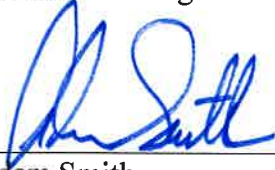
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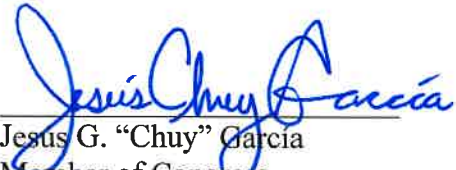
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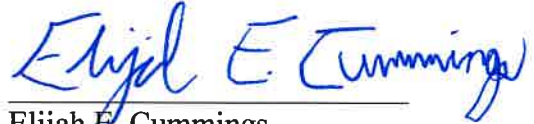
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