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STATEMENT ON DOJ ANALYSIS OF LEGAL ORIENTATION PROGRAM

The Tahirih Justice Center is deeply concerned about [a report published on September 5, 2018](#) by the Executive Office for Immigration Review (EOIR) that seeks to discredit the [Legal Orientation Program \(LOP\)](#), and here shares contradictory information obtained through a Freedom of Information Act request. In April 2018, Attorney General Jeff Sessions attempted to end the LOP but received vocal opposition from Congress, pausing in anticipation of this EOIR report.

“Attempting to discredit the LOP is yet one more way Attorney General Sessions is seeking to undermine due process for women seeking safety in the US from gender-based persecution,” stated Rená Cutlip-Mason, Tahirih Chief of Programs. “As the former legal counsel to the director of EOIR, I am gravely concerned about the miscarriage of justice that will follow if the LOP is terminated without consideration of the tremendous value it adds to the system and to the asylum seekers who need it.”

Through two Freedom of Information Act requests, Tahirih has obtained documents from 2008 to 2018 showing the numerous immigration court efficiencies garnered from the LOP. As recently as September 15, 2018, through a [case time analysis](#) conducted by the Vera Institute of Justice (Vera), the LOP was found, among other things, to aid in the completion of more cases, aid in more individuals attending court hearings, and aid in the faster completion of cases. Overall, this means a greater efficiency for the system due to the provision of minimal legal information to incarcerated individuals.

Vera’s September 15, 2018 analysis directly refutes and discredits EOIR’s September 5, 2018, report. Vera finds “...there are stark differences between the Vera results and the EOIR Phase I ‘LOP Cohort Analysis.’ These are likely due to at least two factors. First, EOIR’s analysis failed to consider pending cases...thus grossly distorting any possible LOP effect...Second, EOIR’s analysis compared cases solely on whether they involved LOP or not without considering other factors...”

Congress has funded the LOP since 2003 with robust bi-partisan support. For detained women escaping sexual assault, domestic abuse, female genital mutilation, and other gender-based violence, the LOP provides critical basic legal information to empower them to navigate the complex U.S. immigration system. In the absence of this information, many women could be forced to return to the country where they were persecuted before availing themselves of the possible legal protections provided by US law.

Documents obtained by Tahirih include:

[Email regarding LOP Case Time Analysis from Vera to EOIR, September 15, 2018](#)

[Vera Institute of Justice LOP Case Time Analysis, Fiscal Years 2013-2017, September 14, 2018](#)

[Vera Institute of Justice Memo to Steve Lang, Director of the Office Legal Access Programs, EOIR, April 1, 2018](#)

[Internal EOIR emails regarding the EOIR LOP Cohort Analysis](#)

[Department of Justice report to the Appropriations Committee, Cost Savings Analysis – The EOIR Legal Orientation Program, Updated April 4, 2012](#)

Tahirih Justice Center is a national non-profit that protects courageous immigrant women and girls who refuse to be victims of violence through free legal and social services, public policy advocacy, and training and education. Visit www.tahirih.org for more information.



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[Vera Institute of Justice, Legal Orientation Program Evaluation and Performance and Outcome Measurement Report, June 2009](#)

[Vera Institute of Justice, Legal Orientation Program Evaluation and Performance and Outcome Measurement Report, May 2008](#)

Tahirih expert Rená Cutlip-Mason, Chief of Programs, is available for questions.

About the Tahirih Justice Center

The Tahirih Justice Center is the largest national direct service and policy advocacy organization focused on assisting immigrant women and girls fleeing violence. Tahirih will continue to monitor policy shifts that impact women and girls fleeing violence and advocate for the United States to honor its legal obligations to protect those fleeing human rights abuses.

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