



## Detail

**Complaint Number:** 786

**Immigration Judge:** (b)(6)

**Complaint Received Date:** 08/01/13

**Current ACIJ**  
Santoro, Christopher A.

**Base City**  
(b) (6)

**Status**  
CLOSED

**Final Action**  
Complaint dismissed because it was disproven

**Final Action Date**  
08/09/13

**Past ACTIS:**

A-Numbers(s)	Complaint Nature(s)		Complaint Source(s)
(b)(6)	Due process	Third party (b) (6)	
	In-court conduct		(b) (6)

**Complaint Narrative:** Complainant (R's wife) alleged that IJ displayed attitude and arrogance and failed to reconsider R's \$18,000 bond set by ICE. Said they were "treated like animals".

Complaint History	
08/09/13	Complaint dismissed because it was disproven
08/13/13	Database entry created

# Immigration Judge Complaint Intake Form

**HQ Use Only:**  
complaint #: \_\_\_\_\_  
source: first / subsequent

Date Received at OCIJ: 8/1/2013

complaint source information	
<b>complaint source type</b>	
<input type="checkbox"/> anonymous <input type="checkbox"/> respondent's attorney <input checked="" type="checkbox"/> third party (wife) <input type="checkbox"/> other: _____	<input type="checkbox"/> BIA <input type="checkbox"/> respondent <input type="checkbox"/> OIL <input type="checkbox"/> ___ Circuit <input type="checkbox"/> EOIR <input type="checkbox"/> OPR <input type="checkbox"/> DHS <input type="checkbox"/> OIG <input type="checkbox"/> Main Justice <input type="checkbox"/> media
<b>complaint receipt method</b>	
<input type="checkbox"/> letter <input type="checkbox"/> fax	<input type="checkbox"/> IJC memo (BIA) <input type="checkbox"/> unknown <input checked="" type="checkbox"/> email <input type="checkbox"/> phone (incl. voicemail) <input type="checkbox"/> in-person <input type="checkbox"/> other: _____
<b>date of complaint source</b> (i.e., date on letter, date of appellate body's decision)  8/1/2013	<b>complaint source contact information</b> name: (b) (6) address: _____ email: (b) (6) phone: _____ fax: _____
<b>additional complaint source details</b> (i.e., DHS component, media outlet, third party details, A-number)  (b) (6)	

complaint details		
<b>IJ name</b>	<b>base city</b>	<b>ACIJ</b>
(b) (6)	(b) (6)	Santoro
<b>relevant A-number(s)</b>	<b>date of incident</b>	
(b) (6)	7/31/13	
<b>allegations</b>		
Complainant (R's wife) alleged that IJ displayed attitude and arrogance and failed to reconsider R's \$18,000 bond set by ICE. Said they were "treated like animals."		
<b>nature of complaint</b>		
<input checked="" type="checkbox"/> in-court conduct <input type="checkbox"/> incapacity	<input type="checkbox"/> out-of-court conduct <input type="checkbox"/> other: _____	<input checked="" type="checkbox"/> due process <input type="checkbox"/> bias <input type="checkbox"/> legal <input type="checkbox"/> criminal

**RESOLUTION:** Dismissed/disproven. Complainant advised by e-mail.

## EOIR FOIA Processing (EOIR)

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**From:** IJConduct, EOIR (EOIR)  
**Sent:** Friday, August 09, 2013 10:30 AM  
**To:** (b) (6)  
**Subject:** RE: We are People.....(Formal Complaint)

(b) (6)

I have received and reviewed your e-mail dated August 1, 2013, in which you raise concerns about your husband's immigration court hearing that occurred on July 31, 2013. You expressed concern about the conduct of both the prosecutor and the immigration judge. Please note that the prosecutors in immigration court work for the Department of Homeland Security, Immigration and Customs Enforcement, and complaints about their conduct should be brought to the attention of DHS.

I have reviewed your husband's case and have listened to the audio recording of both the June 27, 2013 and July 31, 2013 immigration court hearings. Your specific complaints about the judge were that (b) (6) displayed attitude and arrogance and failed to address your husband's bond. The record reflects that the judge did, in fact, discuss your husband's bond and made a decision that was actually favorable to your husband. I did not detect anything inappropriate in the judge's comments or demeanor during the hearing.

Your husband appears not to be represented by an attorney. He was provided a list of attorneys who might represent him at low or no cost and a similar list is available online at <http://www.justice.gov/eoir/probono> (b) (6). He may wish to seek representation to assist him through the process. He may also discuss any concerns or questions he has with the judge at his next hearing.

Christopher A. Santoro  
Assistant Chief Immigration Judge

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

**From:** (b) (6)  
**Sent:** Thursday, August 01, 2013 11:17 AM  
**To:** IJConduct, EOIR (EOIR)  
**Subject:** We are People.....(Formal Complaint)

To Whom It May Concern:

I, (b) (6), am filing a formal complaint against Judge (b) (6). My husband and I attended court for the second time on 31July2013 at the (b) (6). My husband is currently detained there for an overstay. We were not told the proper channels to go through to avoid this when we got married on 4January2012, therefore that is why we are in this situation. At our first court hearing on 26July2013, we were told by the Judge that an I-130 had to be filed, I informed the judge that one had been submitted per a lawyer that we sought in October 2012. Our case got continued so that they could find out my husband's charges and to contact USCIS about the I-130. With my own research since then I found out that the lawyer's paperwork was outdated for the I-130, therefore I resubmitted an I-130 myself on 19July2013 to the (b) (6) office to ensure that we had the correct documentation for the judge for our next court date. I received an email, text and my receipt in the mail promptly. Per different advise from lawyers and the "Immigration Detention and Removal: A Guide for Detainees and Their Families" handbook I thoroughly have read it and came to court beyond prepared for the case on 31July2013. On 26June2013 I submitted the I-130 that the lawyer submitted and a hardship letter. On 31July2013 I came to court with the hardship letter(again), our marriage certificate,



a copy of my husband's passport, our apartment lease, proof of my pregnancy, a copy of what my husband was charged with, his successful completion of a past DUI class from 2011, the new I-130 that I filed, along with the receipt, utility bills, my pay statements and the medical report about our unborn son's medical conditions. I was beyond prepared for almost anything the Judge may have needed. The judge ask (b) (6) Prosecutor about a particular set of charges and he in turn responded that he contacted (b) (6) once and never got a reply back, secondly (b) (6) asked him about the status of the I-130 and (b) (6) prosecutor told (b) (6) that he could not get a status that there was even one pending for my husband, (b) (6) At (b) (6) I responded that I had a receipt for the one that I filed. The judge made copies and then that's when the attitude and arrogance came from (b) (6) and (b) (6) prosecutor. The judge never touched on my husband's bail, (b) (6) never mentioned the hardship letter that was received at the last hearing or anything and (b) (6) basically just continued the court date again because (b) (6) claimed they needed to contact (b) (6) about charges, but (b) (6) already had a copy of that with (b) (6). A statement was also made by the Prosecutor as I got up to leave, (b) (6) I will contact USCIS and let them know to stop the I-130 process". I called ICE when I returned home and they informed me that the Judge nor the Prosecutor works for USCIS so they have no jurisdiction over my husband's I-130 and they gave me the DOJ website to file a complaint. All I have to say is we have been beyond complaint with this judge and it seems to me that they want you to come to court unprepared so that they can have more reason to deport the individual. I am six months pregnant and this has been a long, stressful situation. I drive three hours just to get to court and then I get there and we're treated like we're animals. I currently do not have the several thousands of dollars that they want for bail or these lawyers are wanting per hearing and then the two reasonable priced lawyers that I did find turned down his case just because of " (b) (6) bedside manner". Although we were not aware of the full immigration paperwork processing, we are doing all that we can do to legally get this situation resolved the best way we can. We are all human and yes we all make mistakes, but we are asking for a fair judge, a second chance at trying to get this situation taken care of. Is the system designed to make you lose hope and faith so that we'll just give up and let him be deported? Is it designed for families to be destroyed, children fatherless or motherless? Is this only about making money? My husband may be an "immigrant" per their system, but he ultimately wears a hat of a husband, a father, and a man of God and those hats outweigh the "immigration" title that has been placed on him. We ( the United States) have our own predators, murders, drug dealers, etc., running the streets , but we allow that. Then an "immigrant" who comes to the United States and tries to maybe start over and build their lives, we kill dreams daily. How do we set a strict law for immigrants who charges doesn't even compare to what some United States Citizens do, but we do not uphold a good standard. All we ask for is understanding, a little compassion and a reasonable chance to bring my husband back home so that he can be here for the birth of his son and a daily part of our lives. I feel like I, as a respectable United States Citizen, will end up being forced to leave my own country in order for my family to stay together. Thank you for your time and consideration. Have a blessed day!

V/r

(b) (6)