

10 Organizations Urge DHS Office of CRCL to Investigate Houston Asylum Office's Mishandling of Credible Fear Interviews

WASHINGTON, D.C. - Today, 10 organizations filed a [complaint](#) with the Department of Homeland Security Office of Civil Rights and Civil Liberties (CRCL) calling for an investigation of the Houston Asylum Office's handling of Credible Fear Interviews (CFIs) for asylum seekers. The organizations are: the National Immigration Project, RAICES, Southern Poverty Law Center, Immigration Equality, American Gateways, University of San Francisco School of Law's Immigration and Deportation Defense Clinic, Black Alliance for Just Immigration (BAJI), Florence Immigrant & Refugee Rights Project, the Immigrant Legal Resource Center (ILRC), and the Immigrant Rights Clinic at Texas A&M School of Law.

Most asylum seekers who enter the United States without a visa must undergo a CFI – a preliminary screening to establish a significant possibility of having a legitimate asylum claim - before they can present their asylum case to an immigration judge. The CRCL complaint details more than two dozen instances of Asylum Officers mishandling these critical claims. For example, the Houston Asylum Office frequently: schedules CFIs without informing the asylum seeker's attorney; forces asylum seekers to be interviewed in languages in which they are not fluent; applies incorrect standards in evaluating asylum seekers' claims; and uses adversarial interview techniques on vulnerable applicants, including children and survivors of persecution and torture. The complaint calls for a full investigation and makes recommendations for the Houston Asylum Office to ensure the rights of all asylum seekers.

"The expedited removal system wrongfully leaves many individuals without an opportunity to apply for immigration benefits. The only protection individuals have in this system is the credible fear interview, which, by law, should be a minimal screening, not an adversarial interrogation. The Houston Asylum Office's gross mishandling of these critical interviews is a violation of human rights and must be investigated immediately," said **Victoria Neilson, Supervising Attorney at the National Immigration Project**.

"People who are running for their lives to escape violence in their home countries deserve to share their story in their own language with someone who will listen and follow the law," said **Edna Yang, co-Executive Director of American Gateways**. "The way the Houston Asylum Office has been mishandling these claims is unlawful and threatens the safety of families that have a right to make their case."

"When we interviewed clients who ended up detained in Louisiana, it was clear that they had been totally misled about the CFI process," said **Bill Ong Hing, Professor of Law and Migration Studies, University of San Francisco**. "The continuing violation of international human rights standards must cease."

"The Credible Fear Interview is the only pathway for many people seeking safe haven in the United States. It is critical that DHS carry out the process with integrity to ensure that those fleeing persecution have a chance to be heard and to obtain protection in the United States," said **Eric Cohen, Executive Director of the Immigrant Legal Resource Center.**

"It is unconscionable that asylum seekers who flee persecution are denied a genuine opportunity to ask for safe haven in the U.S.," said **Liza Doubossarskaia, Staff Attorney for Immigration Equality's Detention Program.** "LGBTQ individuals who face violence and even death in their countries of origin are at the mercy of asylum officers, who too often fail to carry out their responsibilities. Without a lawful and humane initial screening, asylum will remain out of reach for those who desperately need it."

"The credible fear interview (CFI) process is riddled with legal and procedural errors, and operates within a xenophobic framework intended to quickly deport vulnerable asylum-seeking communities," said **Tsion Gurmu, Legal Director at the Black Alliance for Just Immigration.** "Black immigrants in particular are punitively detained for extended periods of time without access to credible fear interviews, counsel, or any due process."

"The deeply flawed CFI process causes asylum seekers to remain detained for months or years, all at taxpayer expense," said **Fatma Marouf, Professor and Director of the Immigrant Rights Clinic at Texas A&M School of Law.** "Fixing the problems with this threshold screening can prevent so much unnecessary suffering."

"Our current immigration laws and the ways this country chooses to implement them are very much rooted in xenophobia and white supremacy. Expedited Removal is devoid of due process, accountability, impartiality, or protections for folks desperately seeking the promise of asylum protection reflected in our laws." said **Javier Hidalgo, Director of Pre-Removal Services at RAICES.** "It is a vehicle by which we repeatedly observe the Houston Asylum office wrongly prevent countless individuals from ever accessing the asylum process, often along racist, sexist, xenophobic and even political lines. Yet, despite repeatedly being alerted to improper conduct by asylum officers during the expedited removal process, the Houston Asylum Office does nothing to correct the egregious conduct of its officers."

"The Houston Asylum Office screens thousands of asylum seekers who are detained in the dehumanizing, CoreCivic-run Adams County Correctional facility with no meaningful access to counsel or even basic legal orientation programming," said **Mich P. Gonzalez, associate director of SIFI advocacy at the SPLC.** "There is little doubt that the mishandling of asylum screenings by this office has resulted in both retraumatization of asylum seekers and mass deprivation of due process. A full investigation must be undertaken and everything should be done to immediately address these rampant violations."

"Credible or reasonable fear interviews are the critical first step to asking for protection in the United States," said **Laura St. John, Legal Director at the Florence Immigrant & Refugee Rights Project.** "When these interviews are not conducted fairly, people fleeing persecution

suffer, particularly people who are detained. Conducting them in a language in which the individual is not fluent, conducting them in an adversarial manner, and scheduling them in a way that makes it next to impossible for counsel to be present are all violations of asylum seekers' basic rights. When these interviews are conducted in such a manner, the system is neither just nor efficient and people with valid claims for protection are placed directly in harm's way. Meaningful oversight and accountability in this system is long overdue."

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The National Immigration Project of the National Lawyers Guild (NIPNLG) is a national non-profit organization that provides technical assistance and support to community-based immigrant organizations, legal practitioners, and all advocates seeking and working to advance the rights of noncitizens. NIPNLG utilizes impact litigation, advocacy, and public education to pursue its mission. Learn more at nipnlg.org.

Follow NIPNLG on social media: National Immigration Project of the National Lawyers Guild on Facebook, @NIPNLG on Twitter and Instagram.

[Immigration Equality](#) is the nation's leading LGBTQ immigrant rights organization. We represent and advocate for people from around the world fleeing violence, abuse, and persecution because of their sexual orientation, gender identity, or HIV status.

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Founded in 1912, the University of San Francisco School of Law has a tradition of educating effective lawyers who graduate with the professional skills and theoretical foundation necessary to succeed in the legal profession. The USF School of Law offers a rigorous education with a global perspective in a diverse, supportive community. Our graduates are skilled, ethical professionals prepared for any legal career — from intellectual property law to litigation and more — with a commitment to social justice as their enduring foundation. USF's Immigration and Deportation Defense Clinic represents hundreds of clients annually who are in removal proceedings. The majority of clients are seeking asylum and come from Central America and Mexico; many are unaccompanied minors. The USF School of Law offers full- and part-time Juris Doctor programs that empower students to develop their analytical abilities, master legal writing and research skills, acquire a firm foundation of basic law, explore an array of specialties, and refine their professional legal skills in practical settings. The law school also offers Master of Laws (LLM) programs in Taxation, Intellectual Property and Technology Law, and International Transactions and Comparative Law (for foreign lawyers), and a Master of Legal Studies in Taxation (MLST) for non-lawyers. The USF School of Law is fully accredited by the American Bar Association and is a member of the Association of American Law Schools. For more information, visit usfca.edu/law.

With more than 230 million global citizens living outside their home countries, international migration is one of the most critical issues facing the global community in the 21st century. The challenges that these global citizens face are the focus of the Master in Migration Studies program, which prepares professionals to better the lives of migrants and refugees throughout the world. For more information, visit <https://www.usfca.edu/arts-sciences/graduate-programs/migration-studies>

The Southern Poverty Law Center is a catalyst for racial justice in the South and beyond, working in partnership with communities to dismantle white supremacy, strengthen intersectional movements, and advance the human rights of all people. For more information, visit www.splcenter.org.

Black Alliance for Just Immigration is the largest Black-led racial justice and immigrant rights organization in the US. BAJI's work includes advocacy, policy, research and organizing at the intersection of race and civil rights.

The Immigrant Legal Resource Center is a national nonprofit that works with immigrants, community organizations, legal professionals, and policy makers to build a democratic society that values diversity and the rights of all people. Through community education programs, legal training & technical assistance, and policy development & advocacy, the ILRC works to protect and defend the fundamental rights of immigrant families and communities. Follow us at www.ilrc.org, and on Twitter and Instagram @the_ILRC.