

Other Serious Harm

- Does the applicant fear any other serious harm not related to a nexus?
- Applicant's burden to establish OSH, so must provide specific facts
- Other than X, do you fear anything or anyone else in India?

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What about CAT?

- Consider whether feared harm would amount to torture
- Consider internal relocation

UNCLASSIFIED//~~FOUO~~//~~LES~~

Sample CAT analysis

The record does not establish a significant possibility that it is more likely than not the applicant will be subjected to severe pain or suffering in another state of India. While the applicant was harmed in Punjab and believes Congress party members could find him in another state and harm him, he did not provide any specific facts to support this belief. The Congress party members he specifically fears do not appear to know his name or even where he lived in Punjab as they never called him by name nor came to his home. Therefore, the evidence does not indicate they would locate him to harm him in other states of India. Moreover, he did not know anyone harmed by other Congress party members and country conditions reports “do not suggest that there exists a general risk in India of ill-treatment for members of the Shiromani Akali Dal (Amritsar/Mann) party.” Library of Congress, India: Feasibility of Relocation of Sikhs and Members of the Shiromani Akali Dal (Mann) Party. <https://www.justice.gov/file/1068936/download>.

UNCLASSIFIED//~~FOUO~~//LES

Recap

- Identity of persecutor
- Possession of protected characteristic
- Seriousness of harm and state action
- Internal relocation
- Chen/other serious harm
- CAT

UNCLASSIFIED//~~FOUO~~//LES

Thank you!

Shirk, Georgette L

From: Benzan, Virginia
Sent: Monday, April 08, 2019 7:54 AM
To: #ZBO Everyone
Subject: 1.2 billion, 14 million, 19,500, 24, 4
Attachments: India Eliciting Testimony April 2019.pptx

Happy Monday ZBO!

For this week's training, we will watch a presentation by RAIO RU Bill Korner on India. The video lasts nearly three hours so training will start at 1:30pm.

India COI, Eliciting, Fraud Trends

April 10, 2019 @ 1:30pm

1st Floor FOD Conference Room

Anyone can view the webinar from your desk—starting now! The link is PW protected. The PW, which must be typed and not copied in, is (b)(6)

(b)(7)(e)

The COI PowerPoint for this training is posted on the RAIO Research Unit page, under Training Materials. You can find it [here](#). The Eliciting Testimony PowerPoint is attached to this email.

Why India? It's all about the numbers.

4 – India represents the 4th largest applicant pool in APSO.

24 – Women die a day in India because of dowry-related crimes.

19,500- Languages spoken as a mother tongue in India. (Reports vary on exact #)14 14 million – Slave population

1.2 billion - People living in India

Find more fun facts about India here. <https://www.factslices.com/s-India>

VIRGINIA BENZAN

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15 New Sudbury Street, Suite 600

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Indian APSO Claims

Eliciting Testimony

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USCIS04811

USCIS Fifth Production Part 1
7 of 877

Roadmap

- Preliminary considerations
- Identity of persecutor
- Possession of protected characteristic
- Seriousness of harm and state action
- Internal relocation
- Chen/other serious harm
- CAT

UNCLASSIFIED//~~FOUO~~//LES

Areas for emphasis

- Credibility
- Burden of proof
 - Possession
 - Internal relocation
- This presentation will provide strategies, suggested lines of inquiry, and samples for eliciting testimony in these areas.

UNCLASSIFIED//~~FOUO~~//LES

This will take too long. I have 5 cases.

- In all cases we spend additional time eliciting testimony on the aspects of the claim that are outcome determinative.
- Be strategic in where we devote our interview time.

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Standard of Proof in CF

- CF Standard of proof: significant possibility
- EXCEPT for credibility
- Applicants must provide specific facts to meet their burden.
- Statements of belief on their own are not enough.

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Credibility vs. Lack of Specific Facts

- **Credibility:** First you said they only used hands and feet to beat you, now you say they used hockey sticks.
- **Specific Facts:** What makes you believe that supporters of the BJP could find you anywhere in India?

UNCLASSIFIED//~~FOUO~~//~~LES~~

Persecutor identity: Specific Facts

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- COI: Some evidence of politically-motivated mob violence but limited evidence that political parties or government targets individual, low-level party workers.
- BUT absence of reporting doesn't mean events don't occur. Applicant can meet their burden through testimony.

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Persecutor identity: Specific Facts

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Possession of protected characteristic

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UNCLASSIFIED//~~FOUO~~//LES

Possession of protected characteristic

(b)(6) (b)(7)(e)

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Possession: Posters

(b)(6) (b)(7)(e)

UNCLASSIFIED//~~FOUO~~//~~LES~~

Possession: Foundation-laying

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Possession: Moving off script

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Possession: Lack of detail

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Severity of Harm

(b)(7)(e)

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State action

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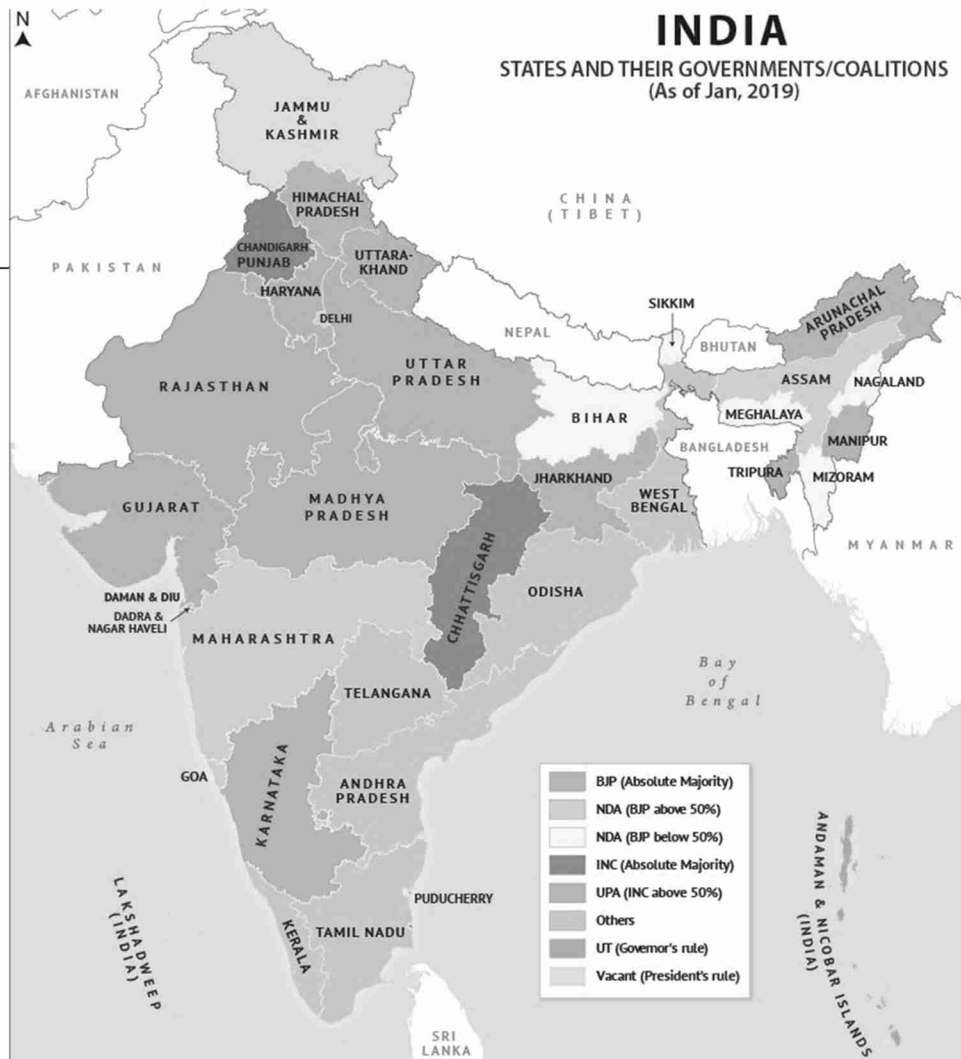
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USCIS04827

Internal relocation: Avoid persecution

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Internal relocation: Avoid persecution

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Aadhaar card



UNCLASSIFIED//~~FOUO~~//~~LES~~

Internal relocation: Avoid persecution

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Internal relocation: Avoid persecution

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Internal relocation: Reasonableness

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Internal relocation: Reasonableness

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Sample Checklist Analysis: Reasonableness

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Chen-type Harm

- If an applicant has established past persecution and the presumption of WFF has been rebutted because the applicant can internally relocate, consider *Chen* and Other Serious Harm.
- Responses to questions we ask for other purposes can inform this consideration
- Was the past harm serious enough to constitute *Chen*-level harm?
 - Detailed testimony on harm suffered, including any lasting effects.
 - Consider applicant's testimony regarding treatment received after attack. Village doctor or extended hospital stay?

UNCLASSIFIED//~~FOUO~~//~~LES~~

Sample *Chen* checklist analysis

There is also no significant possibility that asylum could be granted based on the severity of the past persecution. The applicant testified that that the worst incident of harm was when Congress party workers kicked, punched, and threatened him with death on February 28, 2018. His only injuries were bruises, for which he received an injection from the local village doctor. This is insufficient to establish a significant possibility that the harm he suffered was severe enough to warrant a grant of asylum in the absence of a well-founded fear. See *Matter of Chen*, 20 I&N Dec. 16 (BIA 1989).

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Other Serious Harm

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- Consider whether feared harm would amount to torture
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Sample CAT analysis

The record does not establish a significant possibility that it is more likely than not the applicant will be subjected to severe pain or suffering in another state of India. While the applicant was harmed in Punjab and believes Congress party members could find him in another state and harm him, he did not provide any specific facts to support this belief. The Congress party members he specifically fears do not appear to know his name or even where he lived in Punjab as they never called him by name nor came to his home. Therefore, the evidence does not indicate they would locate him to harm him in other states of India. Moreover, he did not know anyone harmed by other Congress party members and country conditions reports “do not suggest that there exists a general risk in India of ill-treatment for members of the Shiromani Akali Dal (Amritsar/Mann) party.” Library of Congress, India: Feasibility of Relocation of Sikhs and Members of the Shiromani Akali Dal (Mann) Party. <https://www.justice.gov/file/1068936/download>.

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Thank you!

Shirk, Georgette L

From: Benzan, Virginia
Sent: Wednesday, April 10, 2019 11:12 AM
To: #ZBO Everyone
Subject: India: 3X smaller in size with more than 3x the people
Attachments: India Eliciting Testimony April 2019.pptx

Friendly reminder that today's training will be viewing a presentation at ZLA on India.

You may watch the video at your desk or join me in the FOD Conference room. You must sign the sign-in sheet regardless of where you are. I will find you! If you have a conflict with today or next week's scheduled times, please let your supervisor know.

Another fun fact, [redacted]

[redacted] (b)(6)

Virginia

VIRGINIA BENZAN

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📠 [redacted] (b)(6)

From: Benzan, Virginia
Sent: Monday, April 08, 2019 8:54 AM
To: #ZBO Everyone <#ZBOEveryone@uscis.dhs.gov>
Subject: 1.2 billion, 14 million, 19,500, 24, 4

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Indian APSO Claims

Eliciting Testimony

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USCIS04851

USCIS Fifth Production Part 1
47 of 877

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Severity of Harm

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State action

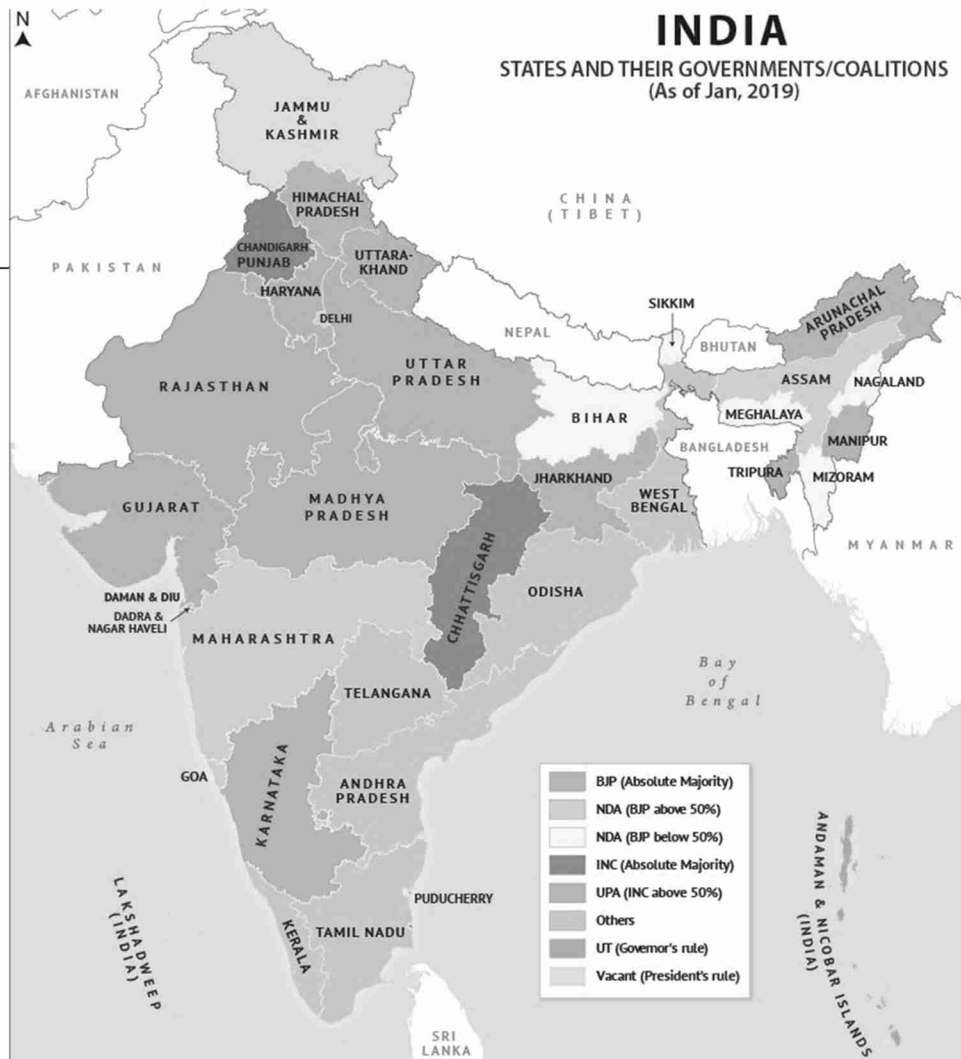
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Internal relocation: Avoid persecution

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Internal relocation: Reasonableness

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Sample Checklist Analysis: Reasonableness

The record establishes that, under all the circumstances, it would be reasonable for the applicant to relocate within India. The applicant indicated that, aside from his fear of Congress Party members, there were no other reasons why he could not relocate within India. The applicant is a young man and in good health. He testified that he is able to work in construction and as a laborer. These are not geographically limited skills and would be transferable to other states in India. The applicant speaks Gujarati, a language spoken in cities and states outside the state of Gujarat. As such, it is reasonable to expect he could also relocate within India.

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Thank you!

Shirk, Georgette L

From: Benzan, Virginia
Sent: Monday, April 15, 2019 9:23 AM
To: Benzan, Virginia
Subject: India COI

Happy Marathon Monday!

As you know, HQ has required that all AOs, SAOs, TOs, and Section Chiefs view the 3 hour COI training on India by April 19th. You are receiving this email because I do not have you checked off as having completed the training as of today. If you have viewed it, please stop by my office (I'm sitting in Meghan Quill's old office), and initial with date of completion the attendance form.

If you do not believe, you can complete the training by the 19th, please discuss it with your supervisor and get back to me with your arrangements.

Thank you,

Virginia

From: [Benzan, Virginia](#)
To: [#ZBO Everyone](#)
Subject: COI Training: Rwanda
Date: Monday, July 15, 2019 12:57:43 PM

Hello ZBO,

Today marks the 25th anniversary of the end of the Rwandan genocide. In 1994, the Hutu killed an estimated 800,000 Tutsi and moderate Hutu over the course of 100 days. 70% of the Tutsi population were killed during the Rwandan civil war.

For this week's training, you will have an opportunity to conduct self-guided country conditions research on Rwanda. On Wednesday, I will email you a list of notable resources such as this brief description of the massacre. <https://m.youtube.com/watch?v=SVnOGsJY5RQ>

Have a wonderful week! I am on leave for this week.

Virginia

Sent from my iPhone

(b)(6)

On Jul 15, 2019, at 8:14 AM, Boyle, Meghann W <[\[redacted\]](#)> wrote:

Hi all,

Remi is Duty SAO today, but she is running a bit late. She should be in around 9:30. In the meantime, I am available on Skype and cell ([\[redacted\]](#)). Paige and Rachael are not in today. Mariusz will be here this afternoon and for the rest of the week.

(b)(6)

Thanks!

Meghann

Meghann Boyle
Sub-Office Director
Boston Asylum Sub-Office
U.S. Citizenship and Immigration Service
15 New Sudbury St., Ste. 600
Boston, MA 02203
PH: [\[redacted\]](#) (b)(6)
FX: 617-565-9507

From: [Benzan, Virginia](#)
To: [#ZBO Everyone](#)
Subject: 1975 & Dreadlocks
Date: Wednesday, February 13, 2019 8:32:00 AM

Pivotal year in history and not just because it's the year of my birth. In 1975, Angola (originator of the dreadlocks hair style) gained independence from Portugal thanks to the help of Cuba. Learn about this and other fun facts today at our training on Angola with Professor Amado.

Angola
2:30pm
9th Floor Ceremony Room

First 30 minutes of training is reserved for updates and review of new security checks.

Yes, Bob Marley had me believing it started in Jamaica too.

VIRGINIA BENZAN
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15 New Sudbury Street, Suite 600
Boston, MA 02203



[Redacted]

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[Redacted]

From: [Benzan, Virginia](#)
To: [Kamalu, Onyema L](#); [Farrell, Andrew G](#); [Bride, Christopher M](#); [Ahmad, Nomaan](#); [Milano, Rosanne T \(Rosie\)](#); [Lipiner, Frank K](#); [Narbus, Katie L](#); [Nadaban, Michelle R](#); [Quill, Meghan E](#); [Mongkolpumirat, Voranan](#)
Subject: Angola/DRC Identity
Date: Tuesday, June 18, 2019 5:34:00 PM

Hi AOs,

I wanted to make a formal request to RAIO research regarding identity documents from Angola and the DRC to help you in your adjudications.

What do you think?

Any specific questions?

VIRGINIA BENZAN
Training Officer
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USCIS/DHS
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Subject: DRC: Targeting of Family Members
Date: Wednesday, July 3, 2019 5:04:00 PM

Hi AOs,

RAIO Research published an inquiry from ZNK regarding with the government targets family members of political opponents. Since we see many of these claims, I thought you find the response useful especially the links to news sources.

Good luck!
Virginia

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[Redacted]

Shirk, Georgette L

From: Benzan, Virginia
Sent: Friday, April 26, 2019 3:30 PM
To: Bride, Christopher M; Farrell, Andrew G; Quill, Meghan E; Nadaban, Michelle R; Milano, Rosanne T (Rosie); Lipiner, Frank K; Narbus, Katie L; Ahmad, Nomaan; Kamalu, Onyema L
Cc: Swen, Oluremi A (Remi); Krause, Paige M; Sundborg, Rachael S
Subject: Credibility & Documents

AOs,

I reread the material on analyzing documents in a credibility analysis and have some more insights and thoughts on a better way of explaining it.

We will discuss at training but please speak with me, if you have to address this issue before Wednesday's training.

Thanks,

Virginia

Sent from my iPhone

Shirk, Georgette L

From: Benzan, Virginia
Sent: Thursday, June 20, 2019 2:57 PM
To: #ZBO Asylum Officers
Subject: Credibility & Documentary Evidence

Hi AOs,

I am working on writing samples of Step 6 – how to discuss the assessment of documents.

Do you have any assessments that I can edit to create some writing samples? Send me whatever you have, whether you think they are good or bad.

Thanks,

Virginia

VIRGINIA BENZAN

Training Officer

Boston Sub-Office/Newark Asylum Office

USCIS/DHS

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15 New Sudbury Street, Suite 600

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☎ [REDACTED] (b)(6)

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Shirk, Georgette L

From: Benzan, Virginia
Sent: Thursday, October 03, 2019 3:09 PM
To: #ZBO Asylum Officers; #ZBO Supervisory Asylum Officers
Subject: Credibility Lesson Plan
Attachments: Credibility LP-Summary of Changes.docx

AOs and SAOs,

HQ has released a new Credibility Lesson Plan. The publication remains in draft form until OCC final approval. You can find the new Lesson Plan here:

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Attached, please find a summary of changes provided by HQ. Some major changes as I see them right now:

- Removal of 5 step analysis
- Removal of split-credibility

We will have a training on this new material in the near future.

Thank you,

Virginia

VIRGINIA BENZAN
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Changes to the Credibility Lesson Plan

Section Name/No.	Summary of Changes
Throughout LP	<ul style="list-style-type: none"> • Streamlined Lesson Plan (LP) with a focus on legal analysis, with interviewing techniques to be more fulsomely addressed in other LPs and training materials • New sections provide additional guidance on various parts of the legal analysis • New citations and case examples throughout LP provide support for and better illustrate legal concepts • Deleted sections from prior LP: “Addressing Credibility at the Interview” and “Investigating Credibility Issues – Some Tools to Use in Evaluating Credibility Flaws” • Removed duplicative content from division supplements
Section 2, <i>General Considerations</i>	<ul style="list-style-type: none"> • Emphasizes that there is no presumption of credibility in RAIO adjudications (moved from ASM supplement) • Distinguishes between credibility determination and ultimate legal conclusion about applicant’s eligibility
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- Considering the cumulative effect of multiple credibility concerns
 - New section added to underscore the totality of circumstances approach to analyzing credibility concerns

Section 5,
*Credibility
Determination*

- New section reminds officers that a credibility determination must be made in every case
- Removed and replaced concept of split credibility from prior version of LP with an acknowledgement that an applicant may still be found credible in the totality of the circumstances despite some unresolved credibility concerns.
- Reflects changes made to the Asylum assessment template, recently approved by OCC

From: [Benzan, Virginia](#)
To: [#ZBO Asylum Officers](#); [#ZBO Supervisory Asylum Officers](#)
Cc: [Boyle, Meghann W](#)
Subject: Updated Credibility Lesson Plan Published
Date: Tuesday, May 19, 2020 3:14:32 PM

Good Afternoon,

HQ has updated the RAO Credibility Lesson Plan. The new and final version has replaced the draft versions on the ECN. This final version stems from OCC's final review and comments on the February 2020 draft version.

• **Link:**

(b)(7)(e)

[Redacted Link]

(NOTE: There is no need to update materials; this link is unchanged from previous versions.)

• **Summary of current changes:**



Throughout LP	<ul style="list-style-type: none"> ○ Corrected citations and made minor edits for clarity and consistency ○ Changed “must” back to “may” in several places to be consistent with the REAL ID Act’s language addressing the consideration of factors in the overall credibility analysis
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Section 4.6, Cumulative Effect of Multiple Credibility Concerns	<ul style="list-style-type: none"> ○ Added citation and new case example
Section 5, Credibility Determinations	<ul style="list-style-type: none"> ○ Clarified text ○ Added two new case examples ○ Added new citations and reference to Evidence LP

We will have a credibility training in the near future as more guidance becomes available.

Thanks,

Virginia

VIRGINIA BENZAN
 Training Officer
 Boston Sub-Office/Newark Asylum Office
 USCIS/DHS
 JFK Federal Building
 15 New Sudbury Street, Suite 600
 Boston, MA 02203

 [Redacted] (b)(6)
 Fax (617) 565-9507

 [Redacted]

“Steal as much wisdom from other people as you can.” Aziz Ansari

Referred to Immigration and Customs Enforcement

Referred to Immigration and Customs Enforcement

Fogelbach, Juan J

From: Benzan, Virginia
Sent: Wednesday, June 3, 2020 10:56 AM
To: Fron, Claire S
Subject: FOIA

Attachments: [redacted] FDNS training - when do I complete a fraud referral????; [redacted]
Fraud Ring (b)(7)(e)

OPERATIONS TEAM ALERT

This file MUST go to FDNS
(Circle One)

BEFORE / AFTER Outprocessing.

FRAUD REFERRAL

A# _____

Update: FDNS Reviewed and processed referral.

OK to Outprocess: _____

Operations team: Please remove this cover sheet before shipping to NRC.

From: Benzan, Virginia
To: #ZBO Everyone
Subject: 1975 & Dreadlocks
Date: Wednesday, February 13, 2019 8:32:00 AM (b)(6)


Pivotal year in history and not just because [redacted] In 1975, Angola (originator of the dreadlocks hair style) gained independence from Portugal thanks to the help of Cuba. Learn about this and other fun facts today at our training on Angola with Professor Amado.

Angola
2:30pm
9th Floor Ceremony Room

First 30 minutes of training is reserved for updates and review of new security checks.

Yes, Bob Marley had me believing it started in Jamaica too.

VIRGINIA BENZAN
Training Officer
Boston Sub-Office/Newark Asylum Office
USCIS/DHS
JFK Federal Building
15 New Sudbury Street, Suite 600
Boston, MA 02203

 [redacted] (b)(6)

Fax (617) 565-9507

 [redacted]

Angola:

The Politics of State Repression

Abel Djassi Amado, Ph.D.

Angola: Basic Data

Republic of Angola

- Total population: +/- 30 mil
- HDI: 0.581 (147 in the global ranking)
- Life expectancy at birth: 61.8
- Literacy rate, adult (% ages 15 and older): 66.0%
- Gross national income (GNI) per capita (2011 PPP \$): \$5,790
- Income inequality, Gini coefficient: 42.7
- Working poor at PPP\$3.10 a day (% of total employment): 59.0%



Angola: Basic Data

- Major International indicators:
 - ❖ Freedom House (2018): Not Free
 - Political Rights: 6/7
 - Civil Liberties: 6/7
 - ❖ Press Freedom Index (RWB): 38.35
 - ❖ Human Freedom Index (Cato Institute): 5.64

Brief Historical Sketch

- 1484: the encounter between Portuguese and peoples of Angola
- Slave Trade (1500s-1800s): Angola and the Atlantic World
- Modern Colonial State (late 19th Century): Bureaucratic modernization and rationalization
- The Portuguese *Estado Novo* in Angola: “ultra-colonialism” (Anderson)
- *Assimilados* and *indigenas*
- From Cultural Nationalism to Anti-Colonial Political Nationalism (1940s-1960s)
- Anti-Colonial Armed Struggle: 1961-1974 (MPLA; FNLA; UNITA)

Brief Historical Sketch

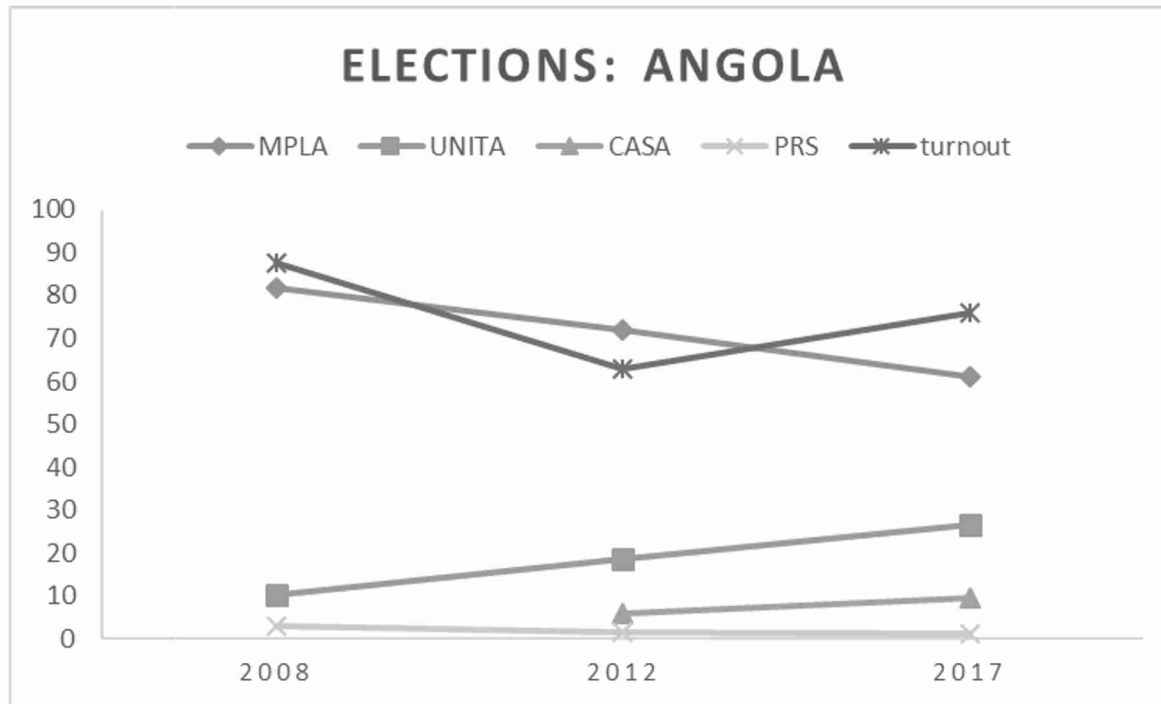
- Independence and the MPLA Government: Marxism-Leninism
- domestic and international threats: Northern & Southern Invasion (1975-76)
- Quintessential Cold War Proxy War: Angola in the 1980s
- transitions in the 1990s: Democracy and market-economy
- Failed democratization and the new wave of civil war: 1992-2002 (a typical example of *resource war*)
- The consolidation of Neo-Patrimonial Rule under dos Santos (1997-2017)

Brief Historical Sketch

- New attempts to electoral democracy (2008 onwards)
- The New Constitution (2010): indirect election of the President
- The end of the Dos Santos Era: 2017
- Angola under Joao Lourenco
 - (a) Dismantling dos Santos Neopatrimonialism
 - (b) Purging dos Santos Clan from the State

Brief Historical Sketch

- Elections in Angola (2008-2017)



The Military in Angola

- Angola as a regional military power (in terms of equipment, training, and experience)
- Armed Forces of Angola (FAA), created in 1991
- FAA—110,000 members: some 3% of the country's GDP
- 1961-1991: FAA doctrine and training: mostly from communist states (Soviet Union; Cuba); also in Portugal
- Cuba: as early as 1962; major military partner in the 1980s
- 1975-1991: 6,000 Soviet military advisers and trainers in Angola; some 7,000 Angolans to frequent Soviet military academies

Political Repression in Angola

- political repression—include the following components
 - (a) The actual or threat of deployment of state security apparatuses or their affiliates
 - (b) Against elements of society (either individually or in group)
 - (c) Who have manifested their willingness to
 - (d) Peacefully challenge either the composition or the policies of the government
- Political Repression: deterrence and/or silencing

Political Repression in Angola: Some Recent Developments

Table 1. The targets of Political Repression

Main Targets	Description
1 st Amendment-type Rights	<ul style="list-style-type: none"> • Freedom of speech, assembly, and travel; freedom of press • Freedom of association and belief without government reprisal • General freedom to boycott, peacefully picket, or strike
Due Process	<ul style="list-style-type: none"> • Violations of “generally accepted standards of police action and judicial and administrative behavior related to the political beliefs of the person involved”
Personal Integrity	<ul style="list-style-type: none"> • Concerned with individual survival and security • Such as freedom from torture, ‘disappearance,’ imprisonment, extrajudicial execution, and mass killing

Source: Adapted from Davenport 2007; Goldstein 1978

Political Repression in Angola

- Main actors of political repression
 - (a) Policia de Intervencao Rapida (PIR)
 - (b) Servicos de Investigacao Criminal
 - (c) Policia Nacional
 - (d) Army
- Main targets:
 - (a) Youth
 - (b) Petty criminals
 - (c) Reporters

Political Repression in Angola

Table 2. Political Repression in Angola: Some Examples

Main Targets	Description
1 st Amendment-type Rights	<ul style="list-style-type: none">• Repression of Peaceful Protest (Movimento do Protectorado Lunda-Tchokwe)
Due Process	<ul style="list-style-type: none">• Luanda 16+1 (arbitrary detention)
Personal Integrity	<ul style="list-style-type: none">• Death Squad in SIC

Source: Adapted from Davenport 2007; Goldstein 1978

Political Repression in Angola

- Repression on the First-Amendment- type Rights
 - ❑ a tradition of the state to repress peaceful protests (in Luanda and in other parts of the country)
 - ❑ Movimento do Protectorado Lunda-Tchokwe: called for a February 28, 2019 mass protest for political autonomy of the region (Lundas – Norte e Sul—diamond-rich provinces)
 - ❑ The state response: 101 people detained; at least one death (even before the day of the mass protest)
 - ❑ Target: the leaders of the movement (in their residencies)

Political Repression in Angola

- Inobservance of Due Process
 - Group of Angolan Activists: Book reading and discussion club
 - Two books under study: Angolan journalist Domingos da Cruz *Ferramentas para Destruir o Ditador e Evitar uma Nova Ditadura* and *From Dictatorship to Democracy*, by Gene Sharp
 - detention of the group while in a private residence
 - accused of plotting a coup d'état
 - an example of lawfare: the use of the law as a tool against potential enemies
 - group kept without contact with families/without trial for more than 90 days

Political Repression in Angola

- Death Squads in Angola
- *Angola's Killing Fields. A Report on Extrajudicial Executions in Luanda 2016-2017*, by Rafael Marques de Moraes
- 50 cases of the summary executions of 92 people carried out between April 2016 and November 2017
- By members of the SIC
- Some of the killings in broad day light—and shared widely on social media

Political Repression in Angola

- Main actors of political repression
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The Department of State Reciprocity Schedule

- Reciprocity: a fundamental norm in international law/relations
- The Immigration and Nationality Act (INA): the DOS to set country-specific visa policies on a reciprocal basis
 - (a) the validity periods
 - (b) numbers of admissions
 - (c) and visa fees
- are based on each country's treatment of similar classes of U.S. visitors to its territory

Thank you for your attention!



From: Benzan, Virginia
To: Kamalu, Onyema L; Farrell, Andrew G; Bride, Christopher M; Ahmad, Nomaan; Milano, Rosanne T (Rosie); Lipiner, Frank K; Narbus, Katie L; Nadaban, Michelle R; Quill, Meghan E; Mongkolpumirat, Voranan
Subject: Angola/DRC Identity
Date: Tuesday, June 18, 2019 5:34:00 PM

Hi AOs,

I wanted to make a formal request to RAIO research regarding identity documents from Angola and the DRC to help you in your adjudications.

What do you think?

Any specific questions?

VIRGINIA BENZAN
Training Officer
Boston Sub-Office/Newark Asylum Office
USCIS/DHS
JFK Federal Building
15 New Sudbury Street, Suite 600
Boston, MA 02203



[Redacted]

(b)(6)

Fax (617) 565-9507



[Redacted]

Credibility – Step 6

The applicant is a university educated, working professional who owned his own laboratory and who claims he suffered minor injuries in the past. While the applicant provided identity documents and a statement from his wife, none of these documents provide further details regarding the applicant's interactions with individuals at his two workplaces. These statements also do not reasonably explain the applicant's inability to provide basic information about who was present at the time he was harmed or the timing of events for a person of his age, educational background, and experiences. Considering the totality of the circumstances and all relevant factors, the applicant's testimony is found not credible regarding his interactions with members of the Muslim Brotherhood.

From: [Benzan, Virginia](#)
To: [#ZBO Asylum Officers](#)
Subject: Credibility & Documentary Evidence
Date: Thursday, June 20, 2019 3:56:00 PM



Hi AOs,

I am working on writing samples of Step 6 – how to discuss the assessment of documents.

Do you have any assessments that I can edit to create some writing samples? Send me whatever you have, whether you think they are good or bad.

Thanks,

Virginia

VIRGINIA BENZAN
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Boston Sub-Office/Newark Asylum Office
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Boston, MA 02203
 (b)(6)
Fax (617) 565-9507


From: [Benzan, Virginia](#)
To: [Bride, Christopher M](#); [Farrell, Andrew G](#); [Quill, Meghan E](#); [Nadaban, Michelle R](#); [Milano, Rosanne T \(Rosie\)](#); [Lipiner, Frank K](#); [Narbus, Katie L](#); [Ahmad, Nomaan](#); [Kamalu, Onyema L](#)
Cc: [Swen, Oluremi A \(Remi\)](#); [Krause, Paige M](#); [Sundborg, Rachael S](#)
Subject: Credibility & Documents
Date: Friday, April 26, 2019 4:30:19 PM

AOs,

I reread the material on analyzing documents in a credibility analysis and have some more insights and thoughts on a better way of explaining it.

We will discuss at training but please speak with me, if you have to address this issue before Wednesday's training.

Thanks,

Virginia

Sent from my iPhone

Credibility Determinations

Noel Young, Training Officer

April 20, 2017

Is the applicant's testimony credible?

An applicant's testimony is credible if it is:

- Detailed
- Consistent
- Plausible

Legally Sufficient Credibility Determinations

In order to make a legally sufficient credibility determination, an Asylum Officer must employ the **five-part analytical framework** in both the interview *and* the assessment.

	Interview	Assessment
Step 1	(b)(7)(e)	
Step 2		
Step 3		
Step 4		
Step 5		

Legally Sufficient Credibility Determinations

Why do we use this five-step methodological approach?

To minimize subjectivity

A credibility finding must be clearly articulated and based on objective facts. It cannot be based on an AO's:

- “Gut” feelings
- Intuition
- Own personal experiences

Assessing Credibility in the Interview

-
-
-
-
-

(b)(7)(e)

Assessing Credibility in the Interview

(b)(7)(e)

Assessing Credibility in the Interview

(b)(7)(e)

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(b)(7)(e)

Assessing Credibility in the Interview

(b)(7)(e)

Assessing Credibility in the Interview

Applicant testified that he was harmed by unknown men in civilian clothes. He later testifies that the men were uniformed gov't soldiers.

(b)(7)(e)

Assessing Credibility in the Interview

(b)(7)(e)

(b)(7)(e)

Assessing Credibility in the Interview

Step 5: Assess the reasonableness of the explanation

(b)(7)(e)

Examples: Assessing Credibility in the Interview

(b)(7)(e)

Examples: Assessing Credibility in the Interview

(b)(7)(e)

(b)(7)(e)

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(b)(7)(e)

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(b)(7)(e)

Examples: Assessing Credibility in the Interview

(b)(6) (b)(7)(e)

Examples

Handouts: Moldovan case; Congolese case

	Interview	Assessment
Step 1		
Step 2		
Step 3		
Step 4	(b)(7)(e)	
Step 5		

Conclusion

(b)(7)(e)

From: [Benzan, Virginia](#)
To: [#ZBO Asylum Officers](#); [#ZBO Supervisory Asylum Officers](#)
Subject: Credibility Lesson Plan
Date: Thursday, October 3, 2019 4:07:00 PM
Attachments: [Credibility LP-Summary of Changes.docx](#)

AOs and SAOs,

HQ has released a new Credibility Lesson Plan. The publication remains in draft form until OCC final approval. You can find the new Lesson Plan here:

➤ (b)(7)(e)

Attached, please find a summary of changes provided by HQ. Some major changes as I see them right now:

- Removal of 5 step analysis
- Removal of split-credibility

We will have a training on this new material in the near future.

Thank you,

Virginia

VIRGINIA BENZAN
Training Officer
Boston Sub-Office/Newark Asylum Office
USCIS/DHS
JFK Federal Building
15 New Sudbury Street, Suite 600
Boston, MA 02203



(b)(6)

Fax (617) 565-9507



Changes to the Credibility Lesson Plan

Section Name/No.	Summary of Changes
Throughout LP	<ul style="list-style-type: none"> • Streamlined Lesson Plan (LP) with a focus on legal analysis, with interviewing techniques to be more fulsomely addressed in other LPs and training materials • New sections provide additional guidance on various parts of the legal analysis • New citations and case examples throughout LP provide support for and better illustrate legal concepts • Deleted sections from prior LP: “Addressing Credibility at the Interview” and “Investigating Credibility Issues – Some Tools to Use in Evaluating Credibility Flaws” • Removed duplicative content from division supplements
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- Reflects changes made to the Asylum assessment template, recently approved by OCC

Sample 1 – Burkina Faso

(b)(6) (b)(7)(e)

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(b)(7)(e)

(b)(6) (b)(7)(e)

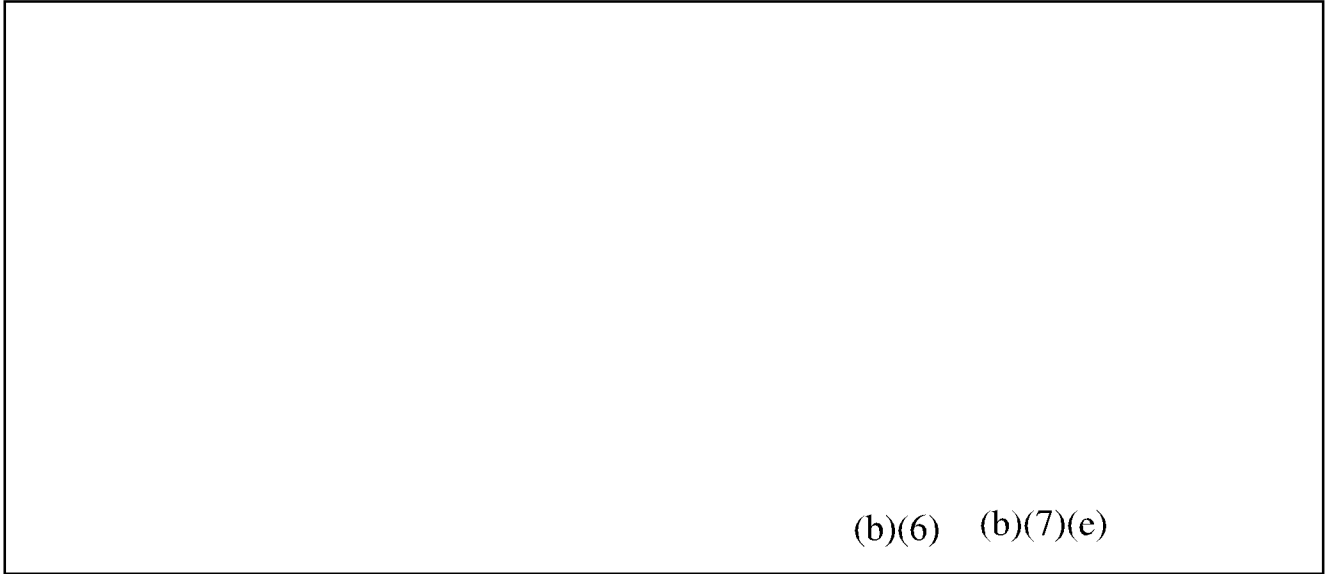
(b)(6)

(b)(7)(e)

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(b)(7)(e)

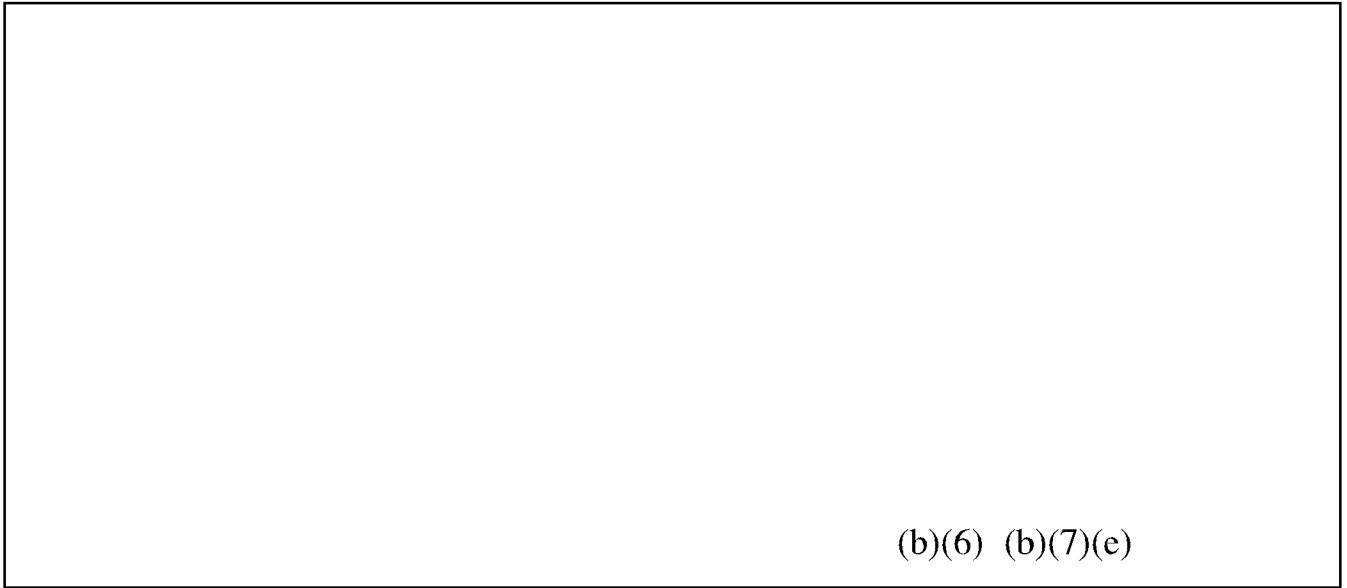
Sample 2 - Egypt



(b)(6) (b)(7)(e)

(b)(6) (b)(7)(e)

Sample 3 - Rwanda



(b)(6) (b)(7)(e)

(b)(6) (b)(7)(e)

(b)(6) (b)(7)(e)

(b)(6) (b)(7)(e)

From: Benzan, Virginia
To: #ZBO Asylum Officers; #ZBO Supervisory Asylum Officers
Cc: Boyle, Meghann W
Subject: Updated Credibility Lesson Plan Published
Date: Tuesday, May 19, 2020 3:14:32 PM

Good Afternoon,

HQ has updated the RAI0 Credibility Lesson Plan. The new and final version has replaced the draft versions on the ECN. This final version stems from OCC's final review and comments on the February 2020 draft version.

• **Link:**

[https://ecn.uscis.dhs.gov/team/raio/PerMgt/Training/Lesson%20Plans/Credibility%20LP%20\(RAIO\).doc](https://ecn.uscis.dhs.gov/team/raio/PerMgt/Training/Lesson%20Plans/Credibility%20LP%20(RAIO).doc)
(NOTE: There is no need to update materials; this link is unchanged from previous versions.)

• **Summary of current changes:**


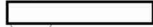
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Section 4.5.2, Analyzing the Relative Weight of Credibility Concerns	<ul style="list-style-type: none">○ Clarified case examples
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We will have a credibility training in the near future as more guidance becomes available.

Thanks,

Virginia

VIRGINIA BENZAN
Training Officer
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Boston, MA 02203

  (b)(6)

Fax (617) 565-9507

“Steal as much wisdom from other people as you can.” Aziz Ansari

Interviewing Traumatized Children and Adolescents



Lisa R. Fortuna, MD, MPH
Director, Child and Adolescent
Psychiatry
Boston Medical Center
Boston University School of Medicine

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Agenda

- Trauma and assessing the presentation of post-traumatic symptoms in children and adolescents
- Illustrative Examples
 - Clinical implications for psychological evaluations and interviewing
- Discussion and Q & A

PTSD in Children

- Posttraumatic stress disorder (PTSD) in children and adolescents occurs as a result of a child's exposure to 1 or more traumatic events: actual or threatened death, serious injury, or sexual violence.
- The victim may experience the event, witness it, learn about it from close family members or friends, or experience repeated or extreme exposure to aversive details of the event.
- Potentially traumatic events include physical or sexual assaults, natural disasters, violence exposure and accidents

Chronic Trauma

- Chronic trauma refers to the experience of multiple traumatic events.
- These may be varied events—such as a child’s being exposed to domestic violence, involved in a serious car accident, and then becoming a victim of community violence—or longstanding trauma such as physical abuse, sexual abuse, neglect, or war.

Complex Trauma

- Complex trauma describes both exposure to chronic trauma—and the impact of such exposure on the child.
- Children who have experienced complex trauma have endured multiple interpersonal traumatic events from a very young age.

Historical Trauma

- Historical trauma is a personal or historical event or prolonged experience that continues to have an impact over several generations.
- Examples include: Slavery, Removal from homelands , Relocation , Massacres, genocides, ethnocides , Cultural and racial immigrant oppression

Neglect

- Failure to provide for a child's basic needs
- Perceived as trauma by an infant or young child who is completely dependent on adults for care (can occur during times of separation)
- • May interfere with a child's ability to recover from trauma

Traumatic Grief

- When someone important to the child dies in a sudden or violent manner that is perceived as traumatic to the child.
- Child's trauma symptoms interfere with his/her ability to grieve.
- Symptoms of traumatic grief include being overly preoccupied with how the loved one died – Reliving or re-enacting the traumatic death

PTSD in Children

- The impact of single-incident trauma (such as a car accident or being beaten up) is different from that of chronic trauma such as ongoing child abuse or exposure to violence.
- Chronic trauma can be related to:
 - Developmental delay
 - Impaired learning
 - Behavioral problems
 - Difficulty with attachment
 - Impaired self soothing and emotional self-regulation

PTSD in Children

- The impact of traumatic events on children is often more far reaching than trauma on an adults, not simply because the child has fewer emotional and intellectual resources to cope, but because the child's development is adversely affected.
- If an adult suffers trauma and a deterioration in functioning, after time when the person heals, he can generally go back to his previous state of functioning,.
- A child, however, will be knocked off of his developmental path.

PTSD in Children

- Many children who suffer traumatic events develop depressive or anxiety symptoms other than PTSD.
- A child or adolescent who has some symptoms of PTSD but not enough to fulfill the diagnostic criteria is still adversely affected.
- The diagnosis of Unspecified Trauma- and Stressor-Related Disorder should be considered.

Trauma and Impact on Children

Traumatic events may affect a child's:

- Ability to trust others
- Sense of personal safety
- Effectiveness in navigating life changes

The most common symptoms of PTSD include the following:

- Reexperiencing the trauma (nightmares, intrusive recollections, flashbacks, traumatic play)
- Avoidance of traumatic triggers, memories and situations that remind the child of the traumatic event
- Exaggerated negative beliefs about oneself and the world arising from the event
- Persistent negative emotional state or inability to experience positive emotions
- Feelings of detachment from people
- Marked loss of interest in or participation in significant activities

Symptoms of PTSD

- Inability to remember part of the traumatic event
- Sleep problems
- Irritability
- Reckless or self-destructive behavior
- Hypervigilance
- Exaggerated startle
- Concentration problems

In Young Children

- Play or behavior that reenacts some aspect of the trauma(s)
- Marked physiological reactions (changes in color in babies)
- Dissociative episodes: child freezes, stays still, stares and is unresponsive to environmental stimuli
- Increased fearfulness and sadness
- Increased outburst of anger and temper tantrums

The Basics: Other Reactions to Trauma

- Depression
- Panic disorder
- Specific phobias
- Behavioral problems
- Attentional problems
- Regression (behaving in a developmentally younger way)
- Separation Anxiety

Differential Diagnosis/Co-Morbidity

- Adjustment disorder *
- Anxiety disorder
- OCD
- Depression
- Dissociative disorders
- Conversion disorder
- Psychosis
- Substance abuse
- Traumatic brain injury

PTSD different in children as compared to adults

- No subjective reaction criterion
- Exposure through close family or friend added
- Extreme and repeated exposure to aversive details included
- For children “negative alterations in cognitions (thoughts) and mood”

▶ Variability in Responses to Stressors and Traumatic Events

The impact of a potentially traumatic event depends on several factors, including:

- The child's age and developmental stage
 - The child's perception of the danger faced – whether the child was the victim or a witness
 - The child's relationship to the victim or perpetrator
 - The child's past experience with trauma
 - The adversities the child faces following the trauma
- The presence/availability of adults who can offer help and–protection

Trauma and young children

...infants and young children do not exist in isolation, but rather develop and experience the world within the context of relationships and environments.

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Traumatic Stress and the Attachment System

Young children are vulnerable to stressors given their physiological, psychological developmental capacities

They depend on the attachment system for survival

The attachment system organizes children's responses to safety and fear in the early years (Lieberman & Van Horn, 2008)

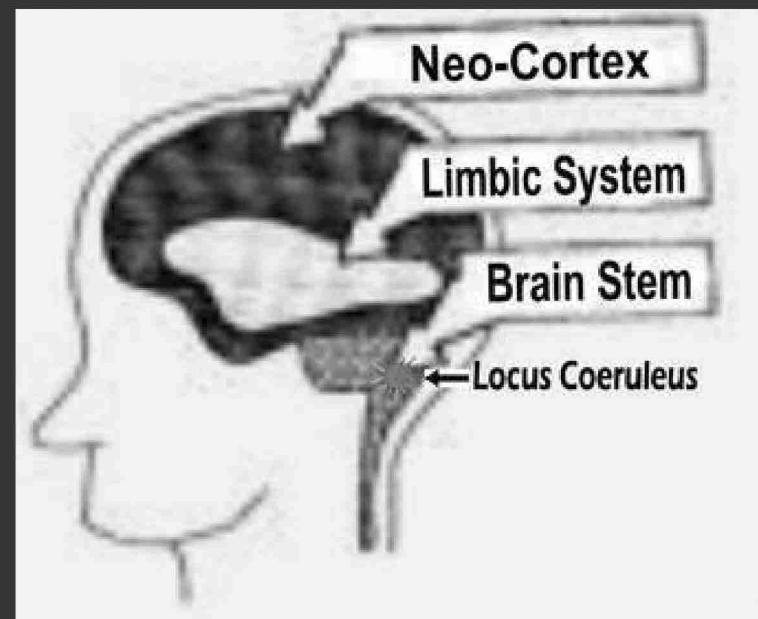
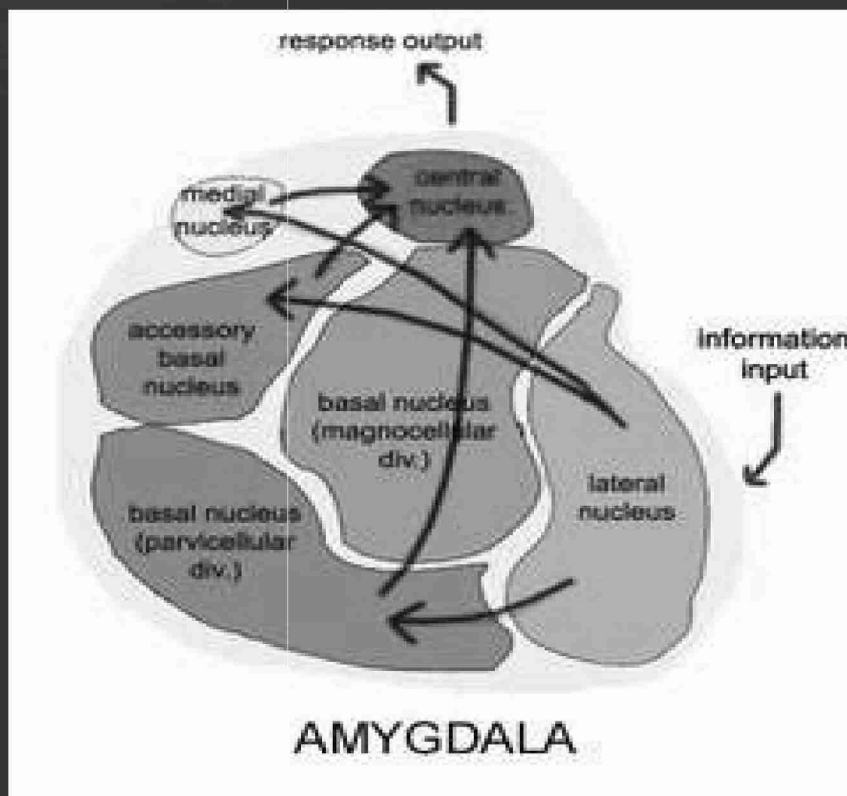
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Young children's perception of safety is closely linked to the perception of their attachment figures' safety

Impact on Child's Body and Brain

- Trauma can have serious consequences for the normal development of children's brains, brain chemistry, and nervous systems.
- Trauma can have serious consequences for the brain.
 - Trauma-induced alterations in biological stress systems can adversely affect brain development.
 - Trauma-exposed children and adolescents display changes in their levels of stress hormones similar to those seen in combat veterans.
 - Plasticity means the brain continues to change in response to repeated stimulation.

Traumatic Stress and Children



Brain Areas and Function

- Prefrontal cortex – abstract thought, logic, factual memory planning ability to inhibit action memory, planning, ability to inhibit action
- • Limbic system – emotional regulation and memories, “value” of emotion
- • Brainstem/midbrain – autonomic functions (breathing, eating, sleeping)

Trauma and Brain Function

- Exposure to trauma causes the brain to develop in a way that will help the child survive in a dangerous world: – On constant alert for danger – Quick to react to threats (fight, flight, freeze)
- The stress hormones produced during trauma also interfere with the development of higher brain functions.

Early Childhood Trauma and Brain

- In early childhood, trauma can be associated with reduced size of the cortex.
- The cortex is responsible for many complex functions, including memory, attention, perceptual awareness, thinking, language, and consciousness.
- Trauma may affect “cross-talk” between the brain’s hemispheres, including parts of the brain governing emotions. These changes may affect IQ and the ability to regulate emotions, and can lead to increased fearfulness and a reduced sense of safety and protection.

Immigration stressors also negatively contribute to the biological stress system

- Immigration stressors (e.g. parental deportation, persecution, detention, discriminatory practices) that affect primary figures can represent toxic stressors for the adults, their young children and the child-parent relationships

Trauma and Attachment

- Sensitive period for attachment is the first two years of life.
- All development occurs in the context of attachment.
- Attachment classifications:
 - – Secure
 - –Insecure/Avoidant
 - – Insecure/Resistant
 - – Disorganized •
 - Attachment classification is relationship-specific

Trauma and Attachment

- Secure – The child uses the caregiver as a secure base for exploration, and the caregiver responds appropriately, promptly, and consistently to the child's needs.
- Insecure/Avoidant – The child shows little emotion or affection toward the caregiver,
- Insecure/Resistant – The child is ambivalent toward the caregiver, seeking comfort but also pushing the caregiver away.
- Disorganized – The child shows contradictory or disoriented behavior,

Traumatic Separations

- Challenges to attachment include separation from a parent, which is sudden and under distressing circumstances.
- This can be traumatic for the child and the parent and interrupt healthy attachment

Trauma Memories in Early Childhood

- Implicit memory: babies can perceive their environment and retain unconscious memories (e.g. recognizing mother retain unconscious memories (e.g., recognizing mother s ' voice)
- Explicit memory: conscious memories are created around age two and tied to language development
- •Children with early trauma may retain implicit memories of abuse: – Physical or emotional sensations can trigger these memories, causing flashbacks, nightmares, or other distressing reactions

Source: Applegate, J. S., & Shapiro, J. R. (2005). Neurob

Early Childhood Trauma--Post-natal Experience

- During the first year of postnatal life trauma can result in :
 - Risk for performing worse in a variety of skill areas that are precursors to future school performance
 - Adversity in the first year associated with higher rates of depression in later years
- During the first three years of life: confront a specific psychological vulnerability to developmental delays, verbal and non-verbal and ongoing socio-emotional disturbance
- At eight years old: if not addressed children can show overall lower intellectual functioning.

What does PTSD look like in children? (ages 5-12)

- These children may not have flashbacks or problems remembering parts of the trauma, the way adults with PTSD often do.
- Children, though, might put the events of the trauma in the wrong order.
- They experience "time skew" and "omen formation," which are not typically seen in adults.

Negative Changes in Thoughts and Mood (ages 5-12)

- In children under six this may appear as increased frequency of negative emotional states (fear, guilt, sadness, shame or confusion); diminished interest or participation in significant activities, including constriction of play and socially withdrawn behavior; persistent reduction in the expression of positive emotions.

▸ Negative Changes in Thoughts and Mood

- A child may be unable to recall an important aspect of the trauma (e.g., kids who, during forensic interviews, cannot recall details);
- Have persistent and exaggerated negative beliefs about self, others or the world (“I am bad”, “No one can be trusted”, “My body is ruined forever”);
- Feel distorted blame of self or others about the event.

Children (5-12)

- In school-age children, trauma undermines the development of brain regions that would normally help children:
 - Manage fears, anxieties, and aggression
 - Sustain attention for learning and problem solving
 - Control impulses and manage physical responses to danger, enabling the child to consider and take protective actions
- As a result, children may exhibit: – Sleep disturbances – New difficulties with learning – Difficulties in controlling startle reactions
- Behavior that shifts between overly fearful and overly aggressive

What does PTSD look like in children? (ages 5-12)

- Time skew refers to a child mis-sequencing trauma-related events when recalling the memory.
- Omen formation is a belief that there were warning signs that predicted the trauma. As a result, children often believe that if they are alert enough, they will recognize warning signs and avoid future traumas.

What does PTSD look like in Adolescents

- Teens are in between children and adults.
- Some PTSD symptoms in teens begin to look like those of adults.
- One difference is that teens are more likely than younger children or adults to show impulsive and agitated behaviors.

Immigrant Stress in Families

- Family separation during the migration process
- Post-migration/resettlement
- Poverty – Social marginalization and isolation stress – Acculturation stress
- Deportation and fear of deportation
- Inadequate housing
- Changes in family structure and functioning

Examples—5 year old child

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Examples—16 y/o female

(b)(6) (b)(7)(e)

Example 17 y/o female

Her narrative (translated from Spanish):

(b)(6) (b)(7)(e)

15 year old male

(b)(6) (b)(7)(e)

15 year old male (Continued)

(b)(6) (b)(7)(e)

Children can also be resilient, although
exposed to trauma can function well

(b)(6) (b)(7)(e)

Culturally based presentations of trauma in a 17 year-old

(b)(6) (b)(7)(e)

12 year old --Timelines and reliability

(b)(6) (b)(7)(e)

Interviews and Assessments

- Open ended questions (avoid leading questions)
- Use play in younger children; symptom measures in older children
- Can use expressive arts and drawing in children and adolescents
- Trust-building is important to build during the assessment process
 - Engage caregivers and form therapeutic alliance
- Assess environment
- Talk to older child with parents **AND** on his/her own
- Young children should always be assessed with a trusted adult

Interviewing

- Understand that social and cultural realities can influence children's experience, and definition of trauma.
- Parents may protect children from the details of trauma and reasons for leaving.
- Even if exposed, younger children may have limited understanding and language to explain trauma.
- Recognize that strong cultural identity can also contribute to the resilience of children, their families, and their communities.
- Assess for traumatic events that may have occurred in the family's country of origin and during the immigration process.
- Work with qualified interpreters, and allow families to choose to have an in-person or telephone interpreter based on their preference.

Important elements to consider during interview

- Emotional numbing
- Reaction formations (laughing)
- Avoidance of affect (not demonstrating affect in context of distressing narrative)
- Time-line confusion
- Thought blocking or freezing

Important elements to consider during interview

- Compartmentalizing (containing feelings in order to function)
- Reactivity, anger
- Acting out
- Fear and anxiety
- Omens and magical thinking (especially in young children)
- Concrete thinking in children

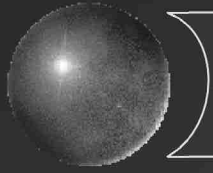
*Interviewing
Traumatized
Individual and
How It Impacts the
Interviewer*



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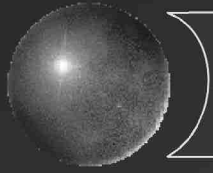
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Objectives

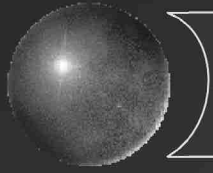
- ◆ To clarify the purpose of medical and psychological evaluations
- ◆ To learn about the potential medical and psychological impact of torture in asylum seekers
- ◆ To understand vicarious traumatization
- ◆ To obtain skills for dealing with vicarious trauma

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Purpose of the Medical Forensic Evaluation

- ◆ Establish facts relating to alleged traumatic events and document corroborating physical and psychological evidence.
- ◆ Prepare written/oral testimony to provide expert opinions on degree to which medical findings correlate with applicant's allegations.



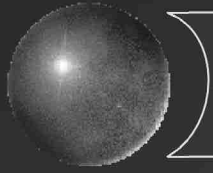
Value of Medical Evaluations

- ◆ Aid in judicial credibility assessments
 - Understanding and explaining demeanor and responsiveness
 - Identifying persecution related inconsistencies
 - Provide corroborating material evidence central to asylum cases



Practical Considerations for Adjudicators

- ◆ There is considerable variability to physical and psychological responses to trauma
- ◆ Medical evaluations may provide compelling explanations for apparent lack of evidence
- ◆ Absence of medical evidence does not mean that alleged trauma did not occur



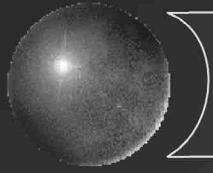
Types of Evaluators

- ◆ Medical

- MD, NP, RN

- ◆ Psychological

- MD, LICSW, PHD, LMHC, NP



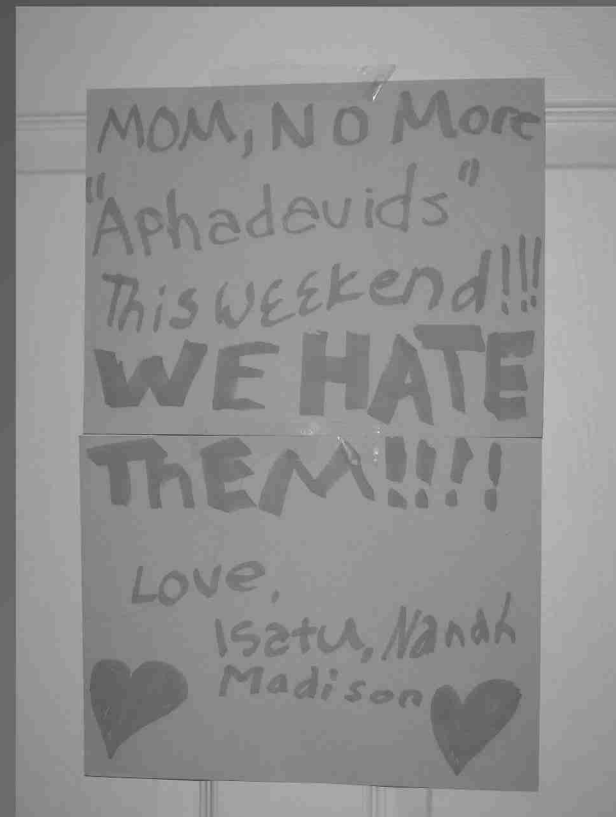
Determining Expertise

- ◆ Licensed Clinicians
- ◆ Expertise in qualifications
 - Established practice with population
 - Under supervision of expert evaluator
 - Depth of experience
 - Training

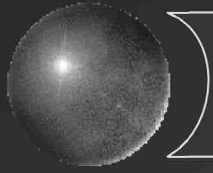


Demand Exceeds Capacity!

- ◆ Documentation often done on providers personal time
- ◆ Demand for documentation has changed over time



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Types of documentation

- ◆ Affidavit
 - Istanbul Protocol
 - ◆ Diagnostic Letters
 - ◆ Treatment Letters
-
- ◆ Impact of demand – lack of documentation does not determine lack of credibility

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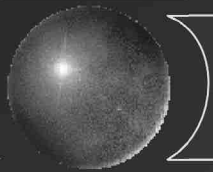
Istanbul Protocol

*Manual on the Effective Investigation and
Documentation of Torture and Other Cruel,
Inhuman or Degrading Treatment or Punishment*



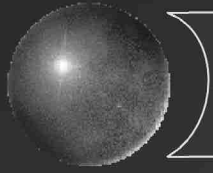
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New York and Geneva, 2004
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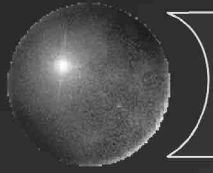
Forensic Evaluation – IP Language

- ◆ Render an opinion as to degree of consistency between lesions and attribution given by patient:
 - Not consistent
 - Consistent with
 - Highly consistent
 - Diagnostic of
 - Not related to



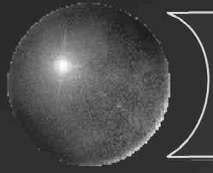
Forensic Evaluation

- ◆ Overall impression:
 - Consistency between history, psychological findings, and overall pattern of physical findings



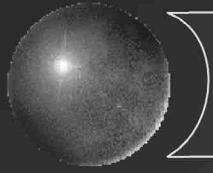
Physical evidence resulting from specific types of trauma

- ◆ Beatings – most common type of torture
- ◆ Cutting wounds
- ◆ Burns
- ◆ Falanga
- ◆ Suspension
- ◆ Electrical Shock
- ◆ Sexual Trauma



Potential medical sequelae of trauma

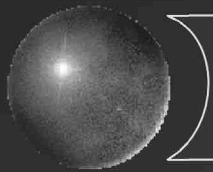
- ◆ Scars
- ◆ Extremity Trauma
- ◆ Head Injuries
- ◆ Neurological injuries
- ◆ Genital injuries
- ◆ Communicable diseases – HIV
- ◆ Chronic Pain
- ◆ Somatic Complaints (chest pain, headache, abdominal pain)



Physical sequelae (scars)

Skin

- ◆ Many skin lesions will heal within 6 weeks
 - contusions, abrasions, blisters
- ◆ **Often torturers use techniques that limit detectable signs of injury.**
- ◆ Examples:
 - Falanga
 - Beating through cloth
 - Electrical Shock

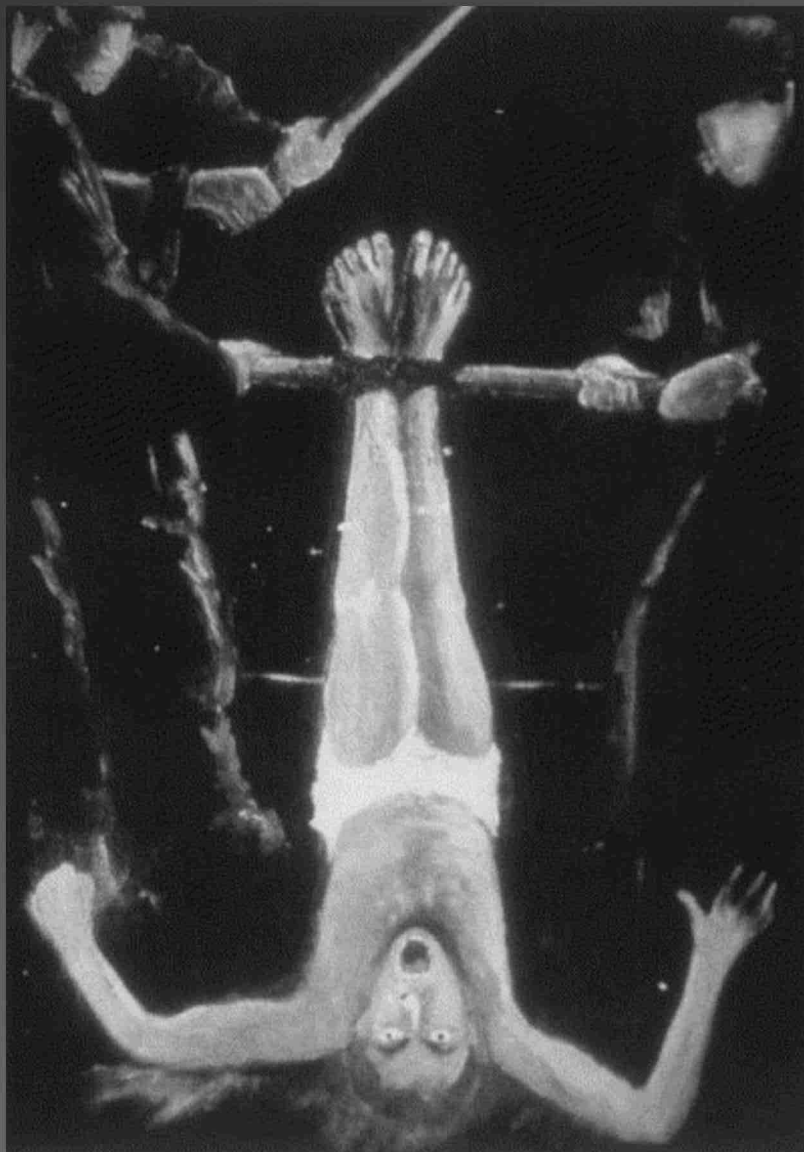
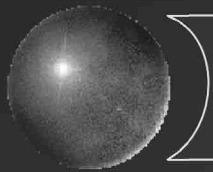


Scars

- ◆ Pattern
- ◆ Location
 - Inner thighs
 - Buttocks
 - Back

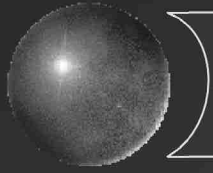


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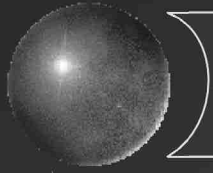
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Physical sequelae *Sexual trauma*

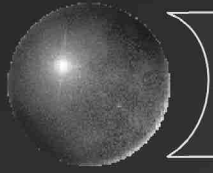
- ◆ Female
 - History of Rape – most will not have physical signs at the time of exam.
 - Female genital mutilation
- ◆ Male Sexual Trauma
 - Rape
 - Direct trauma to genitals

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Role of Psychological Evaluation

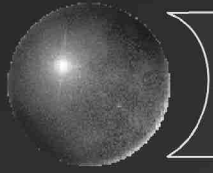
- ◆ Goal of torture is psychological
- ◆ Psychological evidence may be more pronounced than physical
- ◆ Symptoms may wax and wane over time
- ◆ Absence of specific diagnoses does not mean torture did not occur



Psychological Documentation

- ◆ Istanbul Protocol
- ◆ Psychological Affidavit
 - History
 - Clinical Presentation
 - Link clinical presentation to history
 - Establish credibility
 - Confluence of reported history, reported symptoms, clinical presentation

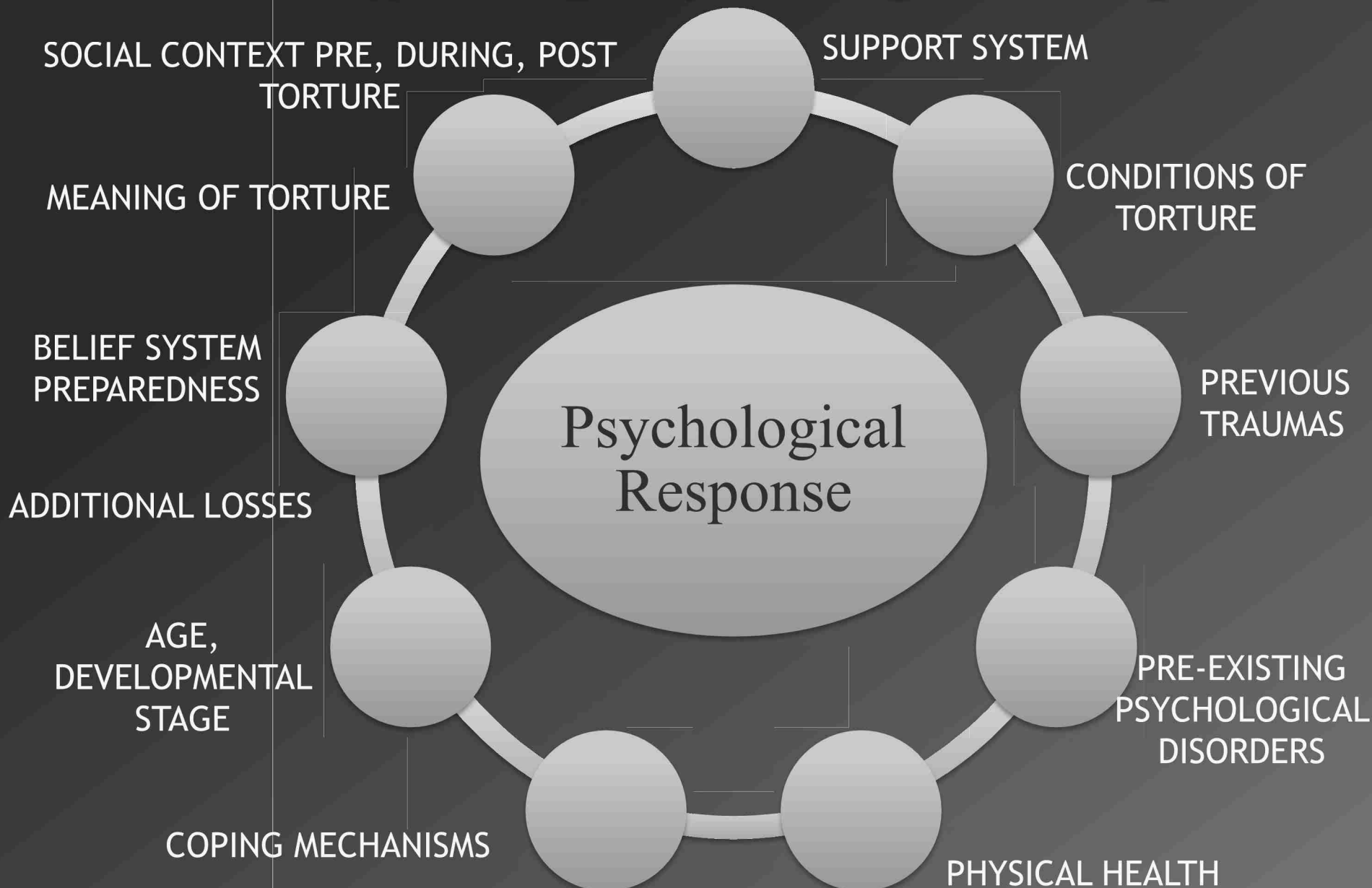
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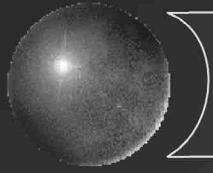
Practical Considerations for Evaluators

- ◆ Complex and lengthy experiences of trauma
 - Not a dose response association
 - Cumulative impact over time vs an event which causes PTSD

Factors Affecting Psychological Response



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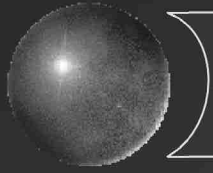


Psychiatric Sequelae

◆ PTSD

■ Diagnostic Criteria: DSM V:

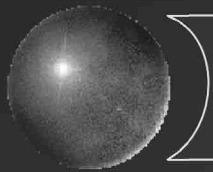
- Re-experiencing event, persistent avoidance of stimuli, increased arousal, intense distress on exposure to cues, disassociation
 - Nightmares, flashbacks, heightened startle response
 - Decreased memory, concentration
 - Alterations in cognition and mood
- 30% will have chronic symptoms after 10 years



Psychiatric Sequelae

- ◆ Major Depressive Disorder
 - Depressed mood, disrupted sleep and appetite, anhedonia, hopelessness, impaired memory and concentration, passive or active suicidal ideation

- ◆ Somatization
 - Physical manifestation of psychological symptoms (may be culturally bound)

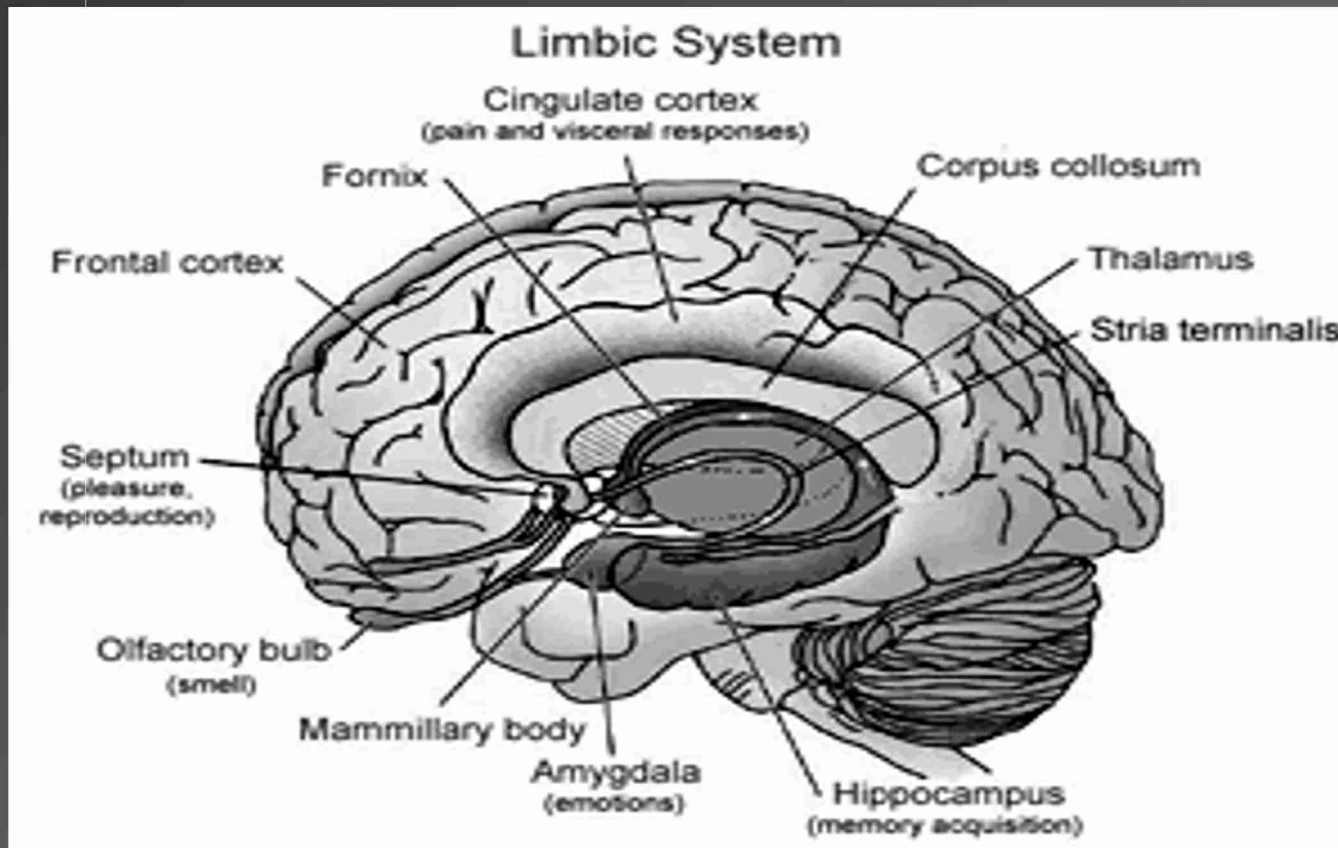
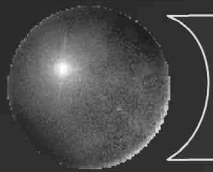


Trauma frequently interferes with an individual's capacity to consistently and accurately recall details



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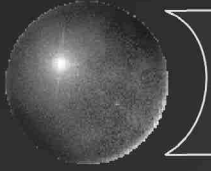
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Limbic System

- ◆ Freeze, flight, fight or submit
- ◆ Amygdala –low road, early warning system, hormone released, continues to function
- ◆ Hippocampus –high road, information processor, places time and spatial information. Hormone sensitive, suppressed by hormone release
- ◆ Brainstem “reptilian brain” impulse and sensory regulation, regulates stress hormones

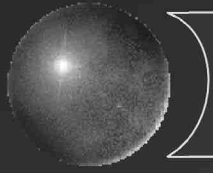
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Frontal Cortex

- ◆ Executive Function
- ◆ Cognitive Function
- ◆ Regulatory abilities
- ◆ Social engagement system

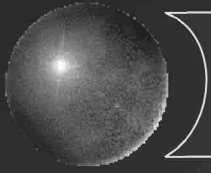
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Neurobiological Trauma Response

- ◆ Hippocampus is bypassed, straight to Amygdala
 - Impact on memory
- ◆ Frontal cortex is offline
- ◆ Threat response -> survival
- ◆ Bottom up functioning instead of top down

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Dissociation

- ◆ Lack of integration of aspects of memory
- ◆ Lack of memory consolidation into autobiographical memory
 - Role of hippocampus in memory consolidation
- ◆ Lack of integration of aspects of experience
 - Not able to access full stimulus of present moment experience



How Dissociation May Present

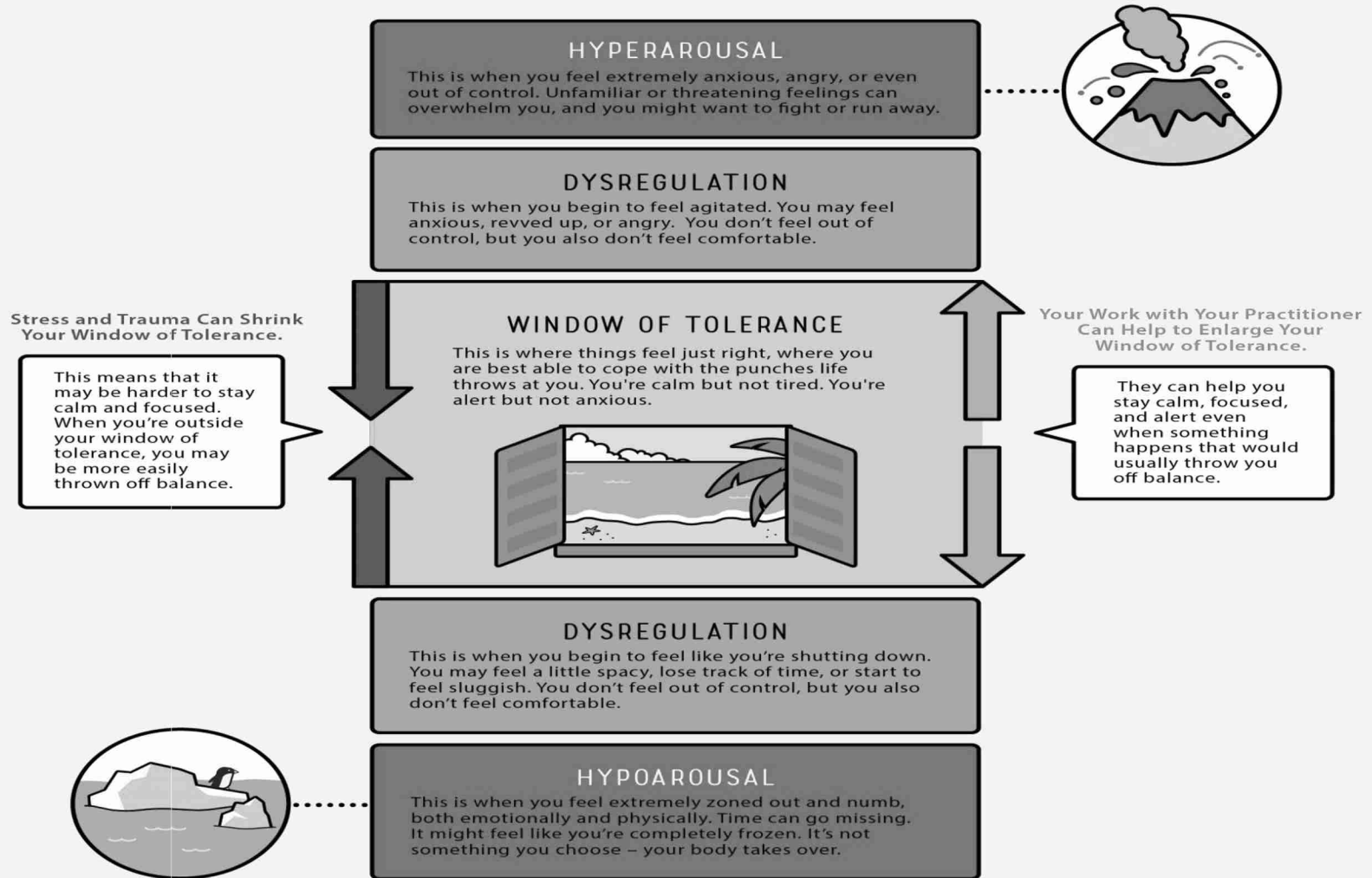
- ◆ Applicant may “freeze” or “zone out”
- ◆ May not be able recall details of trauma experience



How Dissociation May Present

- ◆ May not be able to locate events in relation to each other in time
 - Lack of time and spatial tagging of memories, role of hippocampus, formation of memory during trauma
- ◆ May be missing pieces of memory all together

How Trauma Can Affect Your Window of Tolerance



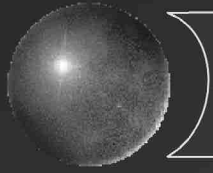
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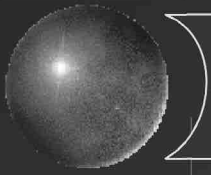
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243 of 877



Additional Factors Impacting History

- ◆ PTSD – waxing and waning of symptoms
- ◆ Depression/Anxiety
- ◆ Fear of disclosure
- ◆ Traumatic Brain Injury
- ◆ Lack of socialization, such as slaves
- ◆ Cultural differences
- ◆ Language barrier
- ◆ Literacy
- ◆ Conditions of confinement
- ◆ Dementia

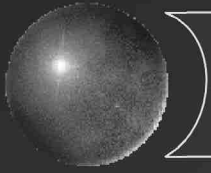
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Experience of the Interview

- ◆ Replicates experience of trauma
 - Being taken into a room
 - Being questioned
 - Safety/Life Threat
- ◆ Prefrontal Cortex may not be online
 - Interviewer wants access to the part of the brain that may not be available to applicant
- ◆ In a threat response state
 - Future, safety for self and family at risk

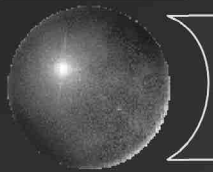
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Role of culture

- ◆ Cultural may dictate disclosure
 - “keep it in the kitchen”

- ◆ Demands of immigration legal processes to disclose
 - Covering/uncovering – ex LGBT+/communities

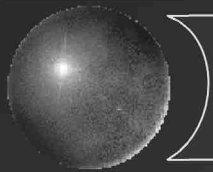


Traumatic Brain Injury

- ◆ Questions about memory are central to documentation of torture
- ◆ Problems in memory and executive function as a result of brain injury sustained during torture may affect ability to tell story
- ◆ Documentation may constitute crucial evidence for a claim to political asylum

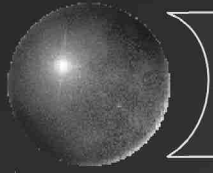
Jacobs and Iacopino 2001

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Traumatic Brain Injury

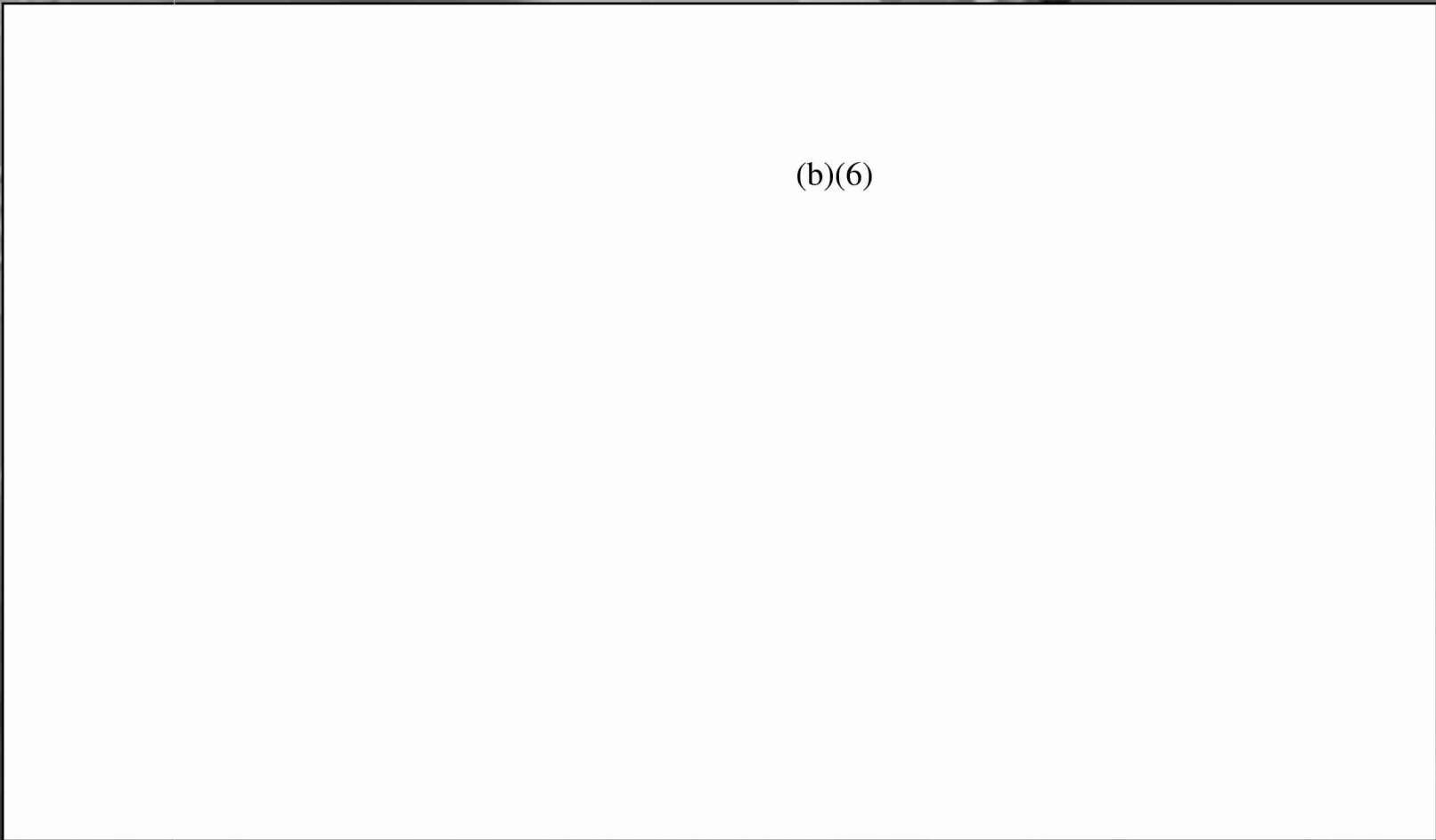
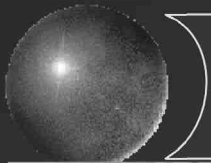
- ◆ 73% of 200 torture survivors suffered blows to the head (Rasmussen, 1990)
- ◆ Brain injury can also result from starvation, toxic substances, anoxia
- ◆ Can be masked by PTSD/depression (overlap)



Recommendations for Interviewing

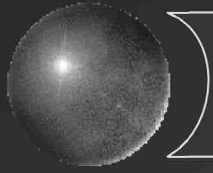
- ◆ Physically
 - Movements should be calm and predictable
- ◆ Modulation of tone of voice
- ◆ Set expectations in the beginning if possible
 - Clarify your role, purpose of being there

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(b)(6)





Malingering

- ◆ Definition: intentional production of false or exaggerated symptoms motivated by external incentives
 - Emphasize relationship of symptoms to traumatic event
 - Blame others for problems
 - Dream themes of grandiosity
 - Relish telling of traumatic experiences
 - Do not avoid environments resembling trauma

Resnick PJ. *Clinical Assessment of Malingering and Deception*; New York, Guilford, 1997

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ANNALS OF IMMIGRATION

THE ASYLUM SEEKER

For a chance at a better life, it helps to make your bad story worse.

BY SUKETU MEHTA

AUGUST 1, 2011

Dominique Strauss-Kahn Case Puts Spotlight on False Asylum Applications



S. Crosby & K. Flinton, 2018

Managing Vicarious Trauma

KATHLEEN FLINTON, MAR, MSW LICSW
BU SCHOOL OF SOCIAL WORK
BOSTON MEDICAL CENTER

SONDRA CROSBY, MD
BU SCHOOL OF PUBLIC HEALTH
BOSTON MEDICAL CENTER



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Why do you do this work?

- ▶ What motivates you to do your work?
- ▶ Is there a mission/philosophy that grounds you?
- ▶ How do you keep the frame around why you do this?

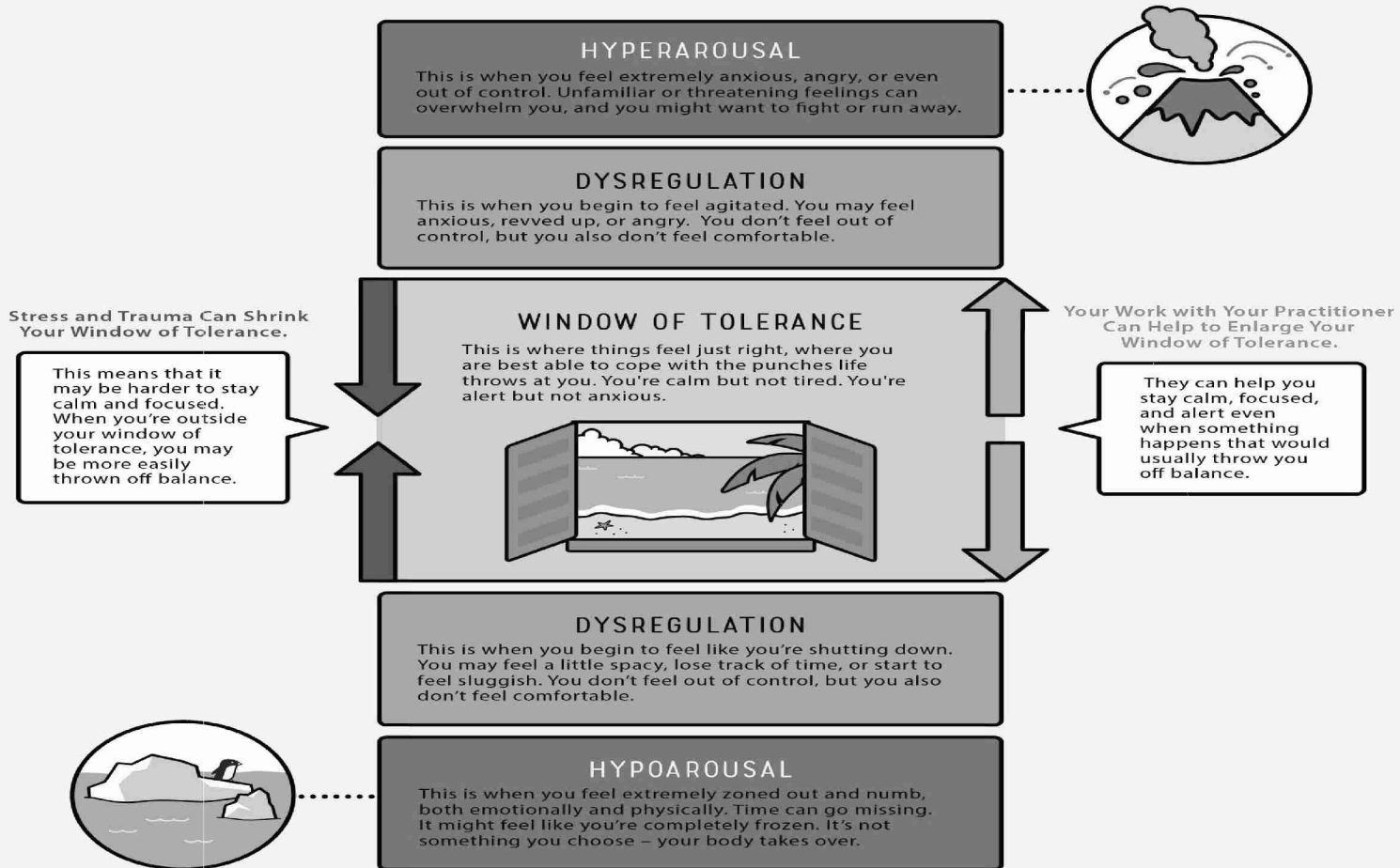
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DSM V

▶ Criterion A: stressor

- ▶ The person was exposed to: death, threatened death, actual or threatened serious injury, or actual or threatened sexual violence, as follows: **(1 required)**
 - ▶ 1. Direct exposure.
 - ▶ 2. Witnessing, in person.
 - ▶ 3. Indirectly, by learning that a close relative or close friend was exposed to trauma. If the event involved actual or threatened death, it must have been violent or accidental.
 - ▶ 4. Repeated or extreme indirect exposure to aversive details of the event(s), usually in the course of professional duties (e.g., first responders, collecting body parts; professionals repeatedly exposed to details of child abuse). This does not include indirect non-professional exposure through electronic media, television, movies, or pictures.

How Trauma Can Affect Your Window of Tolerance



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Vicarious Traumatization (VT)

Pearlman and Caringi 2009

- ▶ “VT is the negative transformation that results from ... engagement with trauma survivors and their trauma material, combined with a commitment or responsibility to help them”
- ▶ Disrupted spirituality ...loss of meaning and hope

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Vicarious Trauma

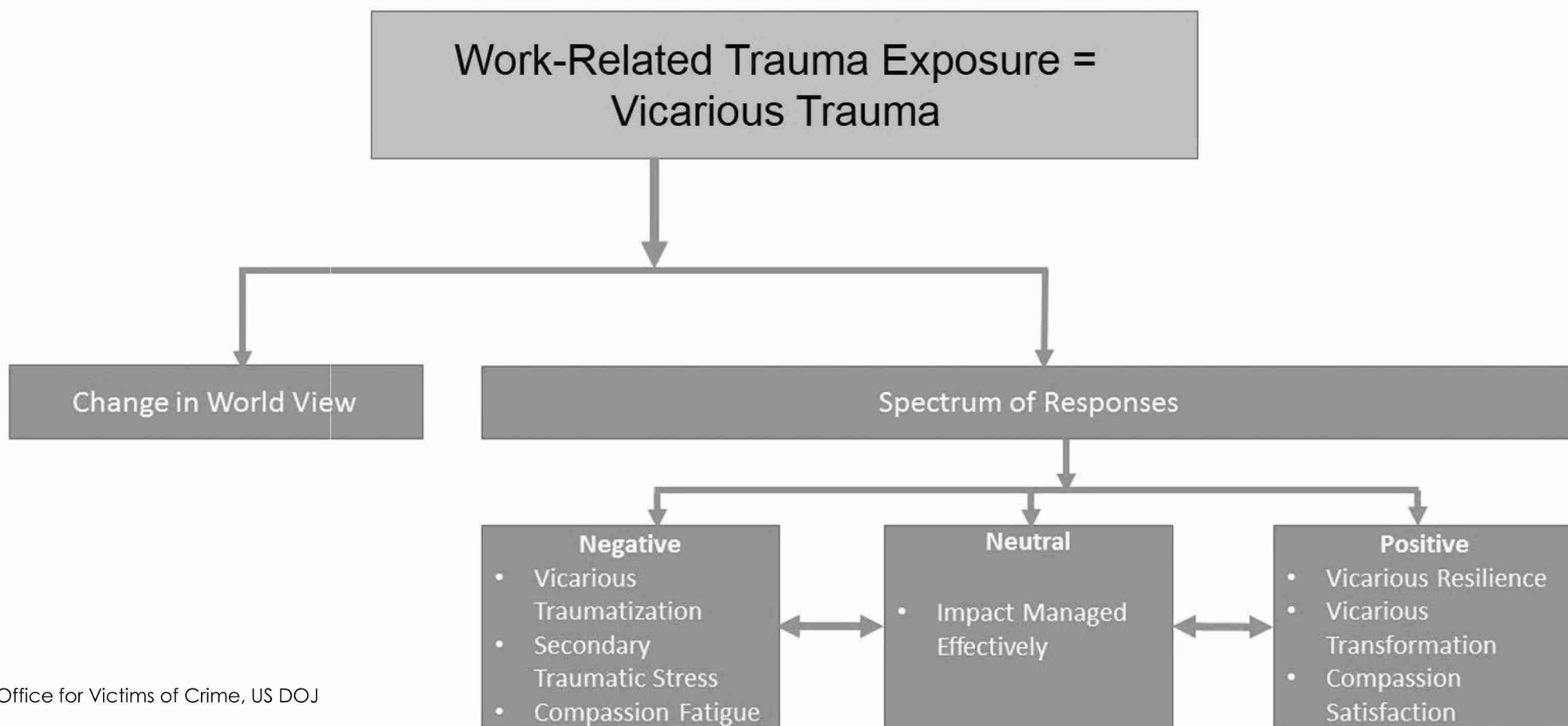
Pearlman and Caringi (2009)

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Underlying mechanism for the development of VT the associated responses are left unprocessed

Responses parallel survivors adaptations including PTSD sx and relational patterns

Vicarious Trauma Toolkit Model



Office for Victims of Crime, US DOJ

Vicarious Trauma

- ▶ Burnout
 - ▶ Misfit between demands of job and resources available
- ▶ Secondary trauma
 - ▶ Trauma responses to specific exposure to traumatic material
- ▶ Vicarious traumatization
 - ▶ Changes that occur in the individual over time due to exposure – disruption of world view/spiritual frameworks

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Sign of VT

American Counseling Association 2011

- ▶ having difficulty talking about their feelings
- ▶ free floating anger and/or irritation
- ▶ startle effect/being jumpy
- ▶ over-eating or under-eating
- ▶ difficulty falling asleep and/or staying asleep
- ▶ losing sleep over patients
- ▶ worried that they are not doing enough for their clients
- ▶ dreaming about their clients/their clients trauma experiences
- ▶ • diminished joy toward things they once enjoyed
- ▶ • feeling trapped by their work as a counselor (crisis counselor)
- ▶ • diminished feelings of satisfaction and personal accomplishment
- ▶ • dealing with intrusive thoughts of clients with especially severe trauma histories
- ▶ • feelings of hopelessness associated with their work/clients
- ▶ • blaming others

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Behaviors

American Counseling Association 2011

- ▶ frequent job changes
- ▶ tardiness
- ▶ free floating anger/irritability
- ▶ absenteeism
- ▶ irresponsibility
- ▶ overwork
- ▶ irritability
- ▶ exhaustion
- ▶ talking to oneself (a critical symptom)
- ▶ going out to avoid being alone
- ▶ dropping out of community affairs
- ▶ rejecting physical and emotional closeness

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"It's a new anti-depressant—instead of swallowing it, you throw it at anyone who appears to be having a good time."

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Interpersonal

American Counseling Association 2011

- ▶ staff conflict
- ▶ blaming others
- ▶ conflictual engagement
- ▶ poor relationships
- ▶ poor communication
- ▶ impatience
- ▶ avoidance of working with clients with trauma histories
- ▶ lack of collaboration
- ▶ withdrawal and isolation from colleagues
- ▶ change in relationship with colleagues
- ▶ difficulty having rewarding relationships

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Personal Values/Beliefs

American Counseling Association 2011

- ▶ dissatisfaction
- ▶ negative perception
- ▶ loss of interest
- ▶ apathy
- ▶ blaming others
- ▶ lack of appreciation
- ▶ lack of interest and caring
- ▶ detachment
- ▶ hopelessness
- ▶ low self image
- ▶ worried about not doing enough
- ▶ questioning their frame of reference – identity, world view, and/or spirituality
- ▶ Disruption in self-capacity (ability to maintain positive sense of self, ability to modulate strong affect, and/or ability to maintain an inner sense of connection)
- ▶ Disruption in needs, beliefs and relationships (safety, trust, esteem, control, and intimacy)

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Job Performance

- ▶ low motivation
- ▶ increased errors
- ▶ decreased quality
- ▶ avoidance of job responsibilities
- ▶ over-involved in details/perfectionism • lack of flexibility

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Where are the challenges?

- ▶ In the work
- ▶ In our settings
- ▶ In ourselves

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Aspects of the work

Pearlman and Caringi, 2009

- ▶ Trauma survivors are seeking safety
interpersonal neurobiological impact of being with a body under threat
- ▶ Body responses – burden of chronically physiological arousal and somatization
- ▶ Traumatic events
 - ▶ “event countertransference” (Danieli, 1981) clinicians reactions to the realities of specific traumatic events
 - ▶ Choice between taking in the story and denying the reality

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Settings

- ▶ Complexity of systems in which we work
 - ▶ Productivity, deadlines
- ▶ Lack of institutional support staff working with trauma material

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Settings

- ▶ If we are meeting Criterion A for PTSD at work, what are our setting doing about that?
- ▶ "Self-care" as a flawed construct
 - ▶ Places responsibility on us rather than system
 - ▶ Parallels societal "turning away" from the nature of trauma
- ▶ View programs working with trauma as affect management systems

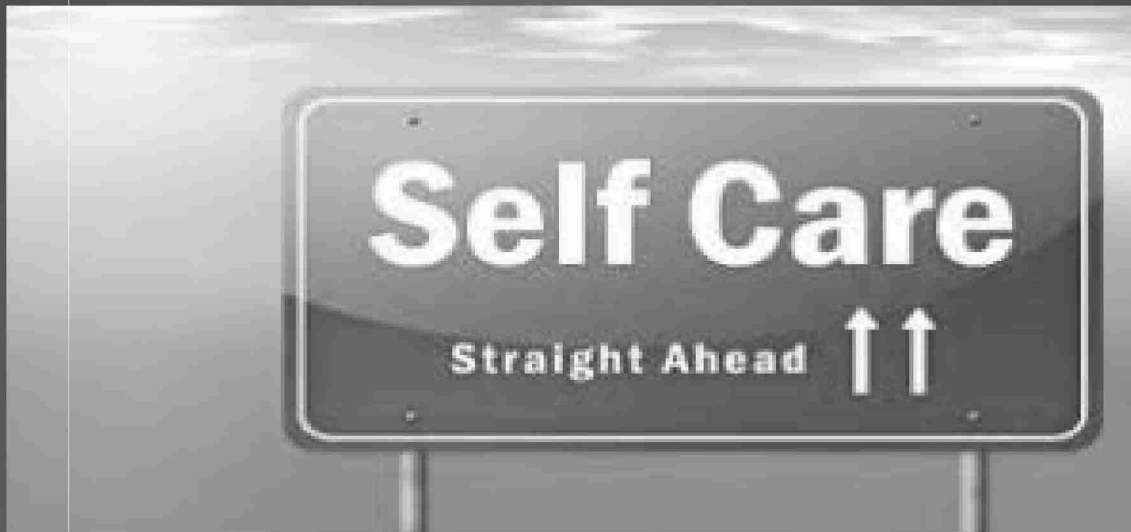
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Provider Identities

Personal histories

- ▶ Over-identification with the trauma story
- ▶ Individual may be reacting to their own history rather than the other persons
 - ▶ Can lead to minimizing OR assumption of understanding

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Working Protectively

Pearlman and Caringi, 2009

- ▶ Perspective
 - ▶ Focus on process rather than outcomes
 - ▶ Moments to maintain contact to why you are here
- ▶ Practice
 - ▶ Appropriate boundary management
 - ▶ Rituals to close exposure
 - ▶ Writing case notes is a great reprocessing tool

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What do we do to address VT?

Pearlman and Caringi, 2009

- ▶ Social support
- ▶ Consultation/Supervision– trauma informed
- ▶ Spiritual renewal – “processes that connect.....with authentic self, allowing and supporting self-transcendence”
- ▶ Vicarious resilience

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Addressing VT

Pearlman and Caringi, 2009

- ▶ Committed or Radical Self Care
 - ▶ Intentional
 - ▶ Frequent
 - ▶ Replacing depleting activities with sustaining
 - ▶ Ethical imperative for working with trauma

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TOP | CHEF

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Differential Skill Set

- ▶ What you do in response to a bad day to re-regulate is different than the skills you have to keep yourself at baseline regulation
- ▶ Self-rescue vs self-care

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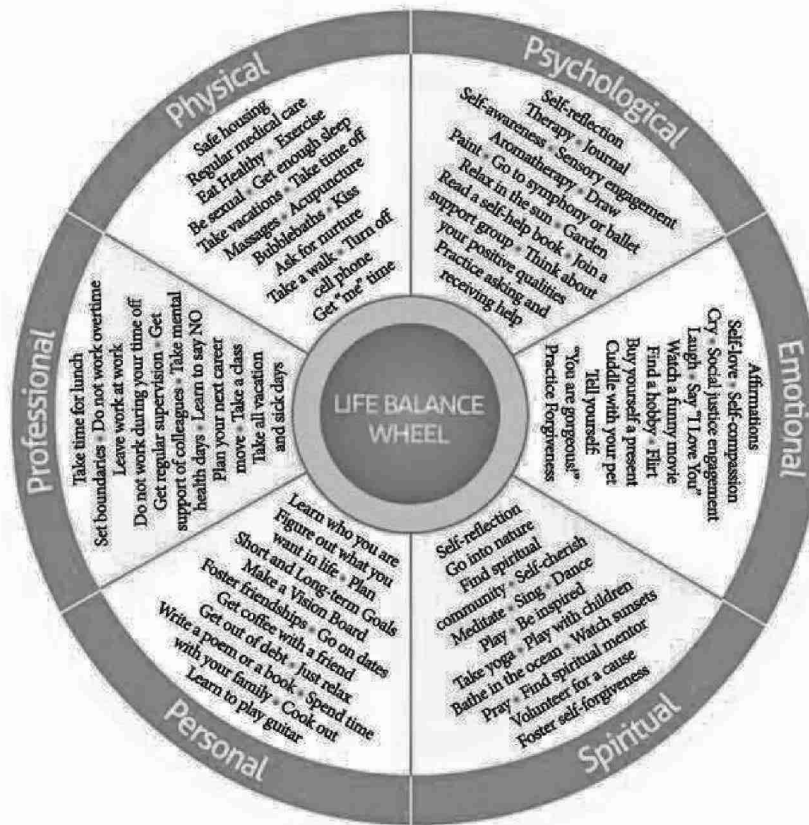
Self Care vs Self Rescue

- ▶ Self rescue
 - ▶ Activities that you engage in “after a bad day”
 - ▶ Oxygen mask

- Self care
 - Intentional practices that build a foundation for sustaining oneself
 - Sources of spiritual renewal
 - When do you connect to something greater than yourself?
 - How do you touch back to the source of what motivates you to do what you do?

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Self Regulation

- ▶ Window of tolerance
- ▶ How do you know where you are in window
 - ▶ What are you like when regulated?
 - ▶ What are you like when nearing the edges?
 - ▶ What are you like when outside?
- ▶ Need to be in window to be fully present

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Regulation skills

- ▶ Body regulation skills
 - ▶ Sleep
 - ▶ Exercise
 - ▶ Hydration
 - ▶ Routines and Rituals

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Breathing

- ▶ Exhale
- ▶ Belly breathing
- ▶ Tactical breathing

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Combat Tactical Breathing

This technique, known as combat or tactical breathing, is an excellent way to reduce your stress and calm down. This breathing strategy has been used by first responders, the military and athletes to focus, gain control and manage stress. In addition, it appears to help control worry and nervousness.

Relax yourself by taking 3 to 5 breaths as described below. Visualize each number as you count.

Breathe in counting 1, 2, 3, 4

Stop and hold your breath counting 1, 2, 3, 4

Exhale counting 1, 2, 3, 4

Repeat the breathing

Breathe in counting 1, 2, 3, 4

Pause and hold your breath counting 1, 2, 3, 4

Exhale counting 1, 2, 3, 4

Body Regulation

- ▶ Peripheral gaze
- ▶ Soft palate expansion
- ▶ Modulation of your own tone
- ▶ Music, rhythmicity
 - ▶ Trauma = chaos
 - ▶ Listening/Body movement

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"As you were."

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Flinton & Crosby, 2018

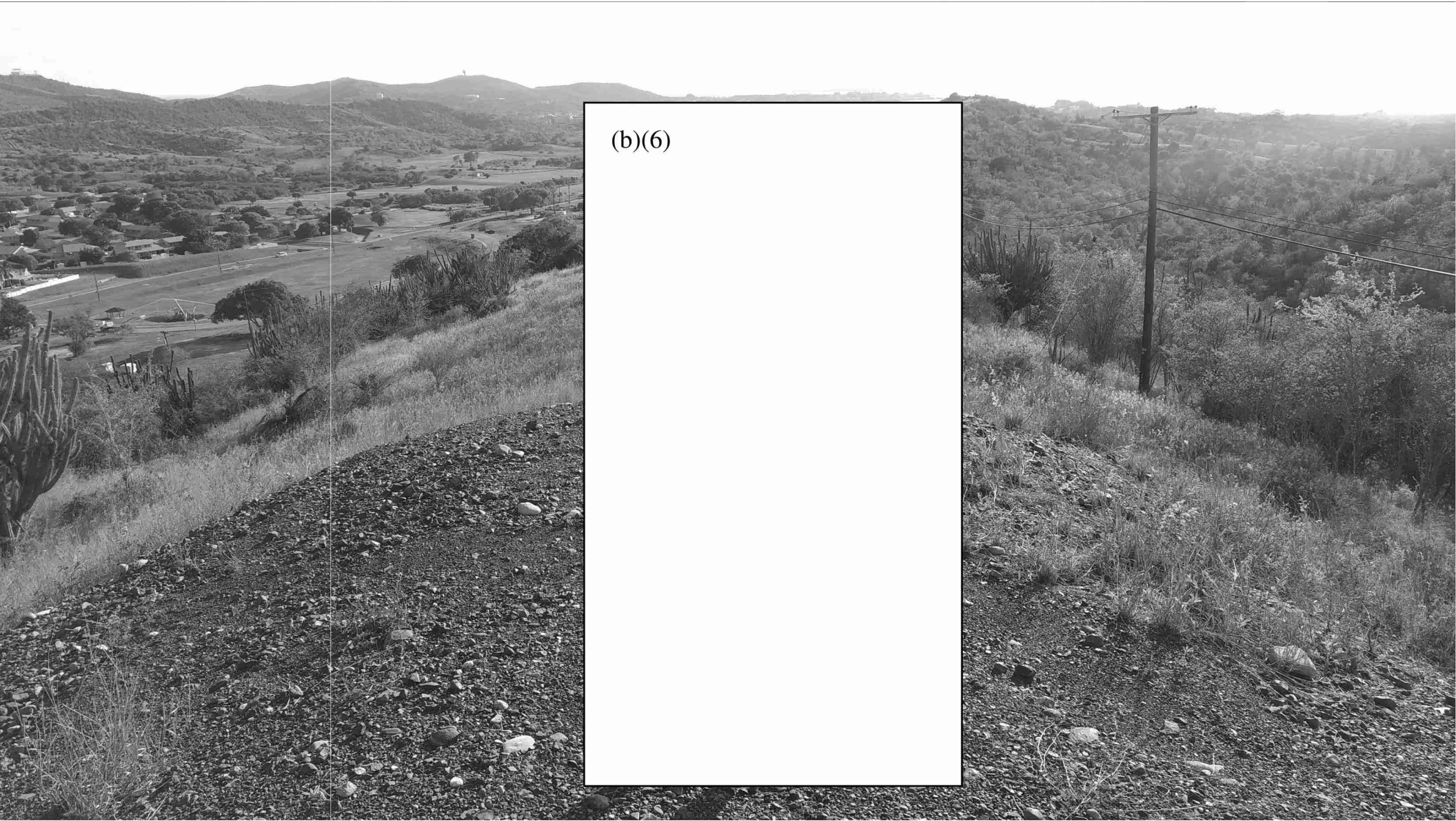
Managing Context Changes

- ▶ Being present in life outside of work
 - ▶ Difficulty in this arena common impact of trauma exposure
- ▶ Transitioning in and out of work space
 - ▶ Context changes present challenges to the body
- ▶ Developing routines and rituals for transitioning
 - ▶ Body cues become associated with the shift, brain will follow

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(b)(6)

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Relational Challenges

- ▶ Interacting with others
 - ▶ Who in your life is aware of what you do all day?
 - ▶ Establishing those who are able to be a bridge between contexts
- ▶ What works here doesn't work at home with spouse/kids/others

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Touching back to your frame

- ▶ How do you create processes, routines/rituals that connect you to this point
- ▶ Importance of being able to connect frequently for
 - ▶ Maintaining yourself in Window of Tolerance
- ▶ Entering each interview fully present
 - ▶ When does your interview space start?
 - ▶ How do you enter from your “center”
 - ▶ What in your setting works against you getting centered
 - ▶ Need to be trauma informed throughout every aspect of the setting
 - ▶ Has to come from the top

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(b)(7)(c)

From:
To:

Cc:

Subject:

Date: (b)(7)(e)

Attachments:

[Redacted] Fraud Ring

Thursday, September 6, 2018 8:31:48 AM

UG BBcard-06272018.pptx

Good morning everyone.

Please see attached information regarding NIV/asylum ring regarding [Redacted]

(b)(7)(e)

Please do not distribute this information to anyone outside the agency. If any of you have any questions, please feel free to contact me.

Regards,

[Redacted] (b)(7)(c)

Immigration Officer | Fraud Detection & National Security (FDNS)

Boston Asylum Sub-Office | RAIO | USCIS

15 New Sudbury Street | Room 600 | Boston, MA 02203

Tel: [Redacted] | Fax: (617) 565-9507

(b)(7)(c)

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Referred to U.S. Customs and Border Protection

Shirk, Georgette L

From: [redacted] (b)(7)(c)
Sent: Monday, November 09, 2015 1:22 PM
To: #ZNK Asylum Officers; #ZNK Supervisory Asylum Officers; #ZNK-Training Officers
Cc: #ZNK FDNS
Subject: [redacted] (b)(7)(e)
Attachments: [redacted].pdf

Good afternoon,

[redacted] (b)(7)(e)

Thanks,

[redacted] (b)(7)(c)
FDNS Immigration Officer
Newark Asylum Office
1200 Wall Street West 4th Floor
Lyndhurst, NJ 07071
Phone: [redacted] (b)(7)(c)

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Burundi: Movement for Solidarity and Democracy (MSD), including its structure and membership card; participation at the meeting organized by the Frodebu party on 18 November 2012; treatment of the party and its members by the authorities (2010-January 2013)

Publisher Canada: Immigration and Refugee Board of Canada

Publication
Date 22 February 2013

Citation /
Document BDI104286.FE
Symbol

Related Burundi : information sur le Mouvement pour la solidarité et la démocratie (MSD), y
Document compris sa structure et la carte de membre; participation à la réunion organisée par le parti
Frodebu le 18 novembre 2012; traitement réservé au parti et à ses membres par les autorités
(2010-janvier 2013)

Cite as Canada: Immigration and Refugee Board of Canada, *Burundi: Movement for Solidarity and Democracy (MSD), including its structure and membership card; participation at the meeting organized by the Frodebu party on 18 November 2012; treatment of the party and its members by the authorities (2010-January 2013)*, 22 February 2013, BDI104286.FE, available at: <http://www.refworld.org/docid/52ab0ae54.html> [accessed 9 November 2015]

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1. General Information

According to the Political Handbook of the World (PHW), the Movement of Solidarity and Democracy (Mouvement pour la solidarité et la démocratie, MSD) is a political party founded in December 2007 (PHW 2012, 213). Sources indicated, however, that the government refused to allow the MSD to register as an official political party (ibid.) until June 2009 (UN 31 Aug. 2009, para. 13). According to a report on Burundi prepared by the UN High Commissioner for Human Rights, the reasons for the refusal was that the party's first name, the Movement for Security and Democracy (Mouvement pour la sécurité et la démocratie), [UN English version] "usurped the function of ensuring security, which was the sole prerogative of the State" (ibid.).

In a telephone interview with the Research Directorate, a Burundian professor teaching philosophy at the University of Sudbury, who observes the political situation in Burundi and writes about the subject, stated that the MSD is a [translation] "splinter group" whose members are "few" and "not very visible"

(Professor of philosophy 28 Jan. 2013). Also, a professor emeritus of political science at the University of Florida who writes about Central Africa and Burundi stated in a telephone interview with the Research Directorate that the MSD is little known (Professor Emeritus 29 Jan. 2013).

However, also in a telephone interview with the Research Directorate, an independent consultant in Burundi, who has been working with NGOs and international organizations for more than 25 years and who writes about the political situation in the country, stated that the party in power considers the MSD [translation] "a threat," and that the party is "is the government's second target, after the FNL [National Liberation Forces]" (28 Jan. 2013). According to the PHW, the FNL participated in armed rebellions against various governments in Burundi and was registered as a political part in 2009 (PHW 2012, 213).

The Professor of philosophy stated that, although members of the MSD are not [translation] "afraid" of the regime in place, the contrary is true for the leader of the MSD, Alexis Sinduhije (28 Jan. 2013). According to PHW, Alexis Sinduhije is also the founder of the MSD (PHW 2012, 213). Alexis Sinduhije lives in exile (Professor Emeritus 29 Jan. 2013; Professor of philosophy 28 Jan. 2013; independent consultant 28 Jan. 2013).

According to the independent consultant, the MSD is seen as a possible source for revolt against the government in place in Burundi (28 Jan. 2013). A report from a group of UN experts on the Democratic Republic of Congo (DRC) published in December 2011 about the role of foreign groups in the DRC indicates that Alexis Sinduhije [UN English version] "is a particularly active supporter of FNL combatants and armed rebellion in Burundi," and that

FNL combatants told the Group that Sinduhije had been tasked with convincing regional and international Governments that the Burundian Government's abuses and corruption justified an armed rebellion. (UN 2 Dec. 2011, para. 138)

2. 2010 Elections

According to the PHW, the MSD won 3.84 percent of the votes in the 2010 municipal elections, taking fifth place (PHW 2012, 213). However, the MSD and several other opposition parties withdrew from the electoral process following the elections (Professor Emeritus 29 Jan. 2013; Afrique-express.com n.d.). Those parties claimed the municipal elections were fraudulent (Professor of philosophy 28 Jan. 2013; Professor Emeritus 29 Jan. 2013). However, sources indicated that international observers noted no evidence of fraud (ibid.; Professor of philosophy 28 Jan. 2013). According to the Professor Emeritus, those parties refused to participate in the legislative and presidential elections that took place later in 2010 (29 Jan. 2013).

The MDC is a member of the Democratic Alliance for Change (Alliance démocratique pour le changement, ADC) (Professor Emeritus 29 Jan. 2013; Afrique-express.com n.d.). The ADC is a coalition formed by the political opposition parties that withdrew from the electoral process in 2010 (ibid.; Professor Emeritus 29 Jan. 2013). The ADC is also known as the Democratic Alliance for Change (Alliance des démocrates pour le changement) (PHW 2012, 212) or the ADC-Ikibiri (Afrique-express.com n.d.). The ADC is headed by the president of the Front for Democracy in Burundi (Front pour la démocratie au Burundi, Frodebu) (ibid.), the party that gave rise to the creation of the Alliance (PHW 2012, 212.)

3. Structure of the MSD

Information on the MSD's structure was scarce among the sources consulted by the Research Directorate.

According to an article published on the website of the Civil Society Coalition for Electoral Monitoring

(Coalition de la société civile pour le monitoring électoral, COSOME), a Burundi NGO, the party held preliminary internal elections in March 2010 to determine its presidential candidate (COSOME 17 Mar. 2010). Those elections were held at the national level (ibid.). The article stated that, according to the president of the commission charged with organizing the elections for the MSD, 912,415 people participated in the national consultations, but the article also noted that that number corresponds to approximately one third of all eligible voters in Burundi (ibid.).

In correspondence with the Research Directorate, an investigator with the Great Lakes Region Human Rights League (Ligue des droits de la personne dans la région des Grands Lacs) stated that it [translation] "is difficult to identify the number of MSD members because there are sympathizers who support the party in secret out of fear of being mistreated by the government" (LDGL 21 Feb. 2013). The investigator also stated that the MSD office is located in the Kinanira district, near the Bujumbura international school in the southern part of the capital (ibid.). Corroborating information could not be found among the sources consulted by the Research Directorate.

A news summary published by the Association for Reflection and Information on Burundi (Association de réflexion et d'information sur le Burundi, ARIB) cites Radio sans frontières Bonesha as indicating that there is a youth chapter of the MSD (ARIB 23 Nov. 2012). According to the summary, the youth chapter criticized the actions of police against members of the ADC in a release signed by Donatien Kwizera (ibid.). Further information on the youth chapter could not be found among the sources consulted by the Research Directorate.

4. Membership Cards

An article published on the COSOME website indicates that, in the internal primary elections held by the party, some party militants were in possession of membership cards, but those who were not had also been able to vote (17 Mar. 2010).

In correspondence with the Research Directorate, the LDGL investigator stated that, according to an active MSD member he had consulted, [translation] "the party had issued membership cards before the 2010 elections. The cards bear the party's emblem of a hand-held torch in a rectangle of three colours: orange, blue and white" (LDGL 13 Feb 2013). The investigator added: [translation] "According to the same source, other cards have just been issued this year, in 2013. The distinctive feature of those cards is that there is an area reserved for a contributions schedule" (ibid.).

In follow-up correspondence, the LDGL investigator noted that to obtain a membership card, a person must be considered a [translation] "strong and competent activist" and must be on the membership list (LDGL 21 Feb. 2013). The investigator added that the card costs 500 Burundian francs (approximately \$0.32 US) for people living in rural areas, and 1,000 Burundian francs (approximately 0.63 \$ US) for those living in urban areas (ibid.).

Further information on MSD membership cards and information corroborating that provided by the LDGL investigator could not be found among the sources consulted by the Research Directorate.

5. Meeting Organized by the Frodebu

Sources indicated that in November 2012, the police prevented a political meeting organized by the Frodebu from taking place in the city of Gatumba, west of Bujumbura (RFI 19 Nov. 2012; COSOME 19 Nov. 2012). According to Radio France internationale (RFI), the Frodebu had invited other members of the ADC to the meeting but they were blocked from travelling to the location by approximately 100 policemen (RFI 19 Nov. 2012). Sources indicated that as many as 10 people were injured in altercations

with the police (ibid.; COSOME 19 Nov. 2012). Police reportedly used tear gas (ibid.; RFI 19 Nov. 2012). RFI also indicated that the police used batons, billy clubs and water canons (ibid.).

In a telephone interview with the Research Directorate, a researcher working at the Research Institute for Development (Institut de recherche pour le développement] in France and who writes about the political situation in Burundi stated that it is [translation] "very likely" that members of the MSD take part in ADC meetings (5 Feb. 2013). Corroborating information could not be found among the sources consulted by the Research Directorate within the time constraints for this Response.

6. Treatment of MSD Members by the Authorities

According to the independent consultant, MSD members are [translation] "targeted" by the regime and may be intimidated, imprisoned and, "in extreme cases, they may even be killed" (independent consultant 28 Jan. 2013). He added that, in particular, the association of youths with the ruling party [translation] "operates as a sort of paramilitary militia" on behalf of the regime (ibid.). Corroborating information could not be found among the sources consulted by the Research Directorate within the time constraints for this Response.

According with the PHW, the spokesperson for the MSD, François Nyamoya, was arrested in September 2010 for having criticized the army, and he was imprisoned until October 2010 (PHW 2012, 213). The PHW indicated that the arrest prompted Alexis Sinduhije to leave Burundi (ibid.). However, Agence France-Presse (AFP) reported, rather, that he fled the country because of the violence that ensued after the 2010 elections were contested (AFP 17 Jan. 2012).

According to the Professor Emeritus, after Alexis Sinduhije went into exile, the police searched his home and found military uniforms (29 Jan. 2013). The researcher stated that the MSD offices had been searched and that the police had also found weapons (5 Feb. 2013). According to the Professor Emeritus, those items may have been planted in order to suggest that a revolt was being planned (29 Jan. 2013). Corroborating information could not be found among the sources consulted by the Research Directorate within the time constraints for this Response.

Human Rights Watch reported that the decapitated body of an MSD member was found in the city of Giheta in November 2011 (Human Rights Watch May 2012, 39). Men in police uniforms driving what appeared to be a police vehicle went to look for him at his home the previous day without giving any explanations (ibid.). The family of the deceased was not able to claim the victim's body despite actions taken with the local and provincial authorities (ibid.).

Sources indicated that in January 2012, Alexis Sinduhije was arrested by police while he was in Tanzania (RFI 25 Jan. 2012; AFP 17 Jan. 2012). Some sources reported he was arrested on the request of the government of Burundi (ibid.; Professor of philosophy 28 Jan. 2013). However, he was released and returned to Europe (ibid.; RFI 25 Jan. 2012).

This Response was prepared after researching publicly accessible information currently available to the Research Directorate within time constraints. This Response is not, and does not purport to be, conclusive as to the merit of any particular claim for refugee protection. Please find below the list of sources consulted in researching this Information Request.

References

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Additional Sources Consulted

Publication: Political Parties of the World 2009

Oral sources: professor emeritus at the Université catholique de Louvain, a professor of sociology and demography at the Université du Burundi, and a post-doctoral intern at the University of Antwerp were not able to provide any information for this Response. Attempts to contact the head of an NGO working to decrease violence and promote reconciliation in Burundi and a representative of the Ligue burundaise des droits de l'homme Itaka were unsuccessful.

Internet sites, including: Agence de Presse Africaine; AllAfrica; Amnesty International; Burundi Bwacu; Burundi Réalités; Commission électorale nationale indépendante; eoi.net; Factiva; Freedom House; International Crisis Group; Iwacu; United Nations - Refworld, Integrated Regional Information Networks; Radio Isanganiro; Radio sans frontières Bonesha; Radio Télévision nationale du Burundi.

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Countries

- [Burundi](#)

Topics

- [Political parties](#)
- [Political situation](#)

Shirk, Georgette L

From: O'Connor, William P (Bill)
Sent: Tuesday, June 06, 2017 1:06 PM
To: #ZNK Everyone
Subject: Changes to the Fraud List
Attachments: FDNS PRE-INTERVIEW SCREENING NOTIFICATION (5-30-17).docx; ZNK Fraud List May072017.docx

Hi Everyone,

Recently, changes were made to the ZNK fraud list and posted on the ECN. I have attached the form to this email along with a link to the site for your (b)(7)(e)

use [REDACTED]

Regards,
Bill

William P. O'Connor
Supervisory Immigration Officer
Office of Fraud Detection and National Security
U.S. Citizenship and Immigration Services
1200 Wall Street West
Lyndhurst, NJ 07071
Office: [REDACTED]
Mobile: [REDACTED] (b)(6)

This email and any attachments thereto may contain information that is privileged, confidential, or otherwise protected from disclosure under applicable law. If the reader of this transmission is not the intended recipient or the employee or agent responsible for delivering the transmission to the intended recipient, you are hereby notified that any dissemination, distribution, copying or use of this transmission or its contents is strictly prohibited. If you have received this transmission in error, please notify us by email or telephone and delete or destroy the original transmission and any copies (electronic or paper).

DO NOT DISCLOSE INFORMATION TO APPLICANT

FDNS PRE-INTERVIEW SCREENING NOTIFICATION

CASE INFORMATION

(Enter N/A if RAS or SMD not required)

A Number: _____ FDNS Review Date: _____
SMD Review Date: _____
DS Number: _____ RAS Review Date: _____

- FDNS has reviewed this case and did not find any Fraud, Public Safety or National Security indicators that would warrant referral to FDNS. If any such indicators are discovered during the interview or subsequent processing, please refer the case to FDNS using a FDNS Referral Sheet
- FDNS has discovered the following issues with this case:
- National Security
 - Public Safety
 - Fraud
 - RAS Enhanced Review (See FDNS for additional information)
 - Social Media Information of Interest
 - Attorney/Interpreter/Preparer Issue
 - Other: _____
- Please forward this case to FDNS upon completion of the interview along with the following forms: G28 I589 Interpreter oath and ID Interview Notes
- Other: _____

Additional Comments:

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Shirk, Georgette L

From: [redacted] (b)(7)(c)
Sent: Friday, May 29, 2020 6:37 AM (b)(7)(c)
To: [redacted]
Subject: Fraudulent Passports intercepted/encountered by CBP
Attachments: [redacted]

(b)(7)(e)

Happy Friday!!

Attached please find:

- 1) [redacted]
- 2) [redacted] (b)(7)(e)

Regards,

[redacted] (b)(7)(c)

Intelligence Research Specialist
Fraud Detection & National Security (FDNS)
1200 Wall Street West | 4th Floor | Lyndhurst, NJ 07071
Desk: 201-508-6100, Ext. [redacted] (b)(7)(c)

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Referred to Immigration and Customs Enforcement

Referred to Immigration and Customs Enforcement

Referred to Immigration and Customs Enforcement

Referred to Immigration and Customs Enforcement

Referred to Immigration and Customs Enforcement

Referred to Immigration and Customs Enforcement

Shirk, Georgette L

From: [redacted] (b)(7)(c)
Sent: Thursday, February 20, 2020 2:10 PM
To: #ZNK Asylum Officers
Cc: #ZNK Supervisory Asylum Officers; [redacted] (b)(7)(c)
Subject: [redacted] (b)(7)(e)
Attachments: LIR 0058-20.pdf

Happy pre-Friday ZNK adjudications,

[redacted] (b)(7)(e)

As always, feel free to reach out if you have any additional questions or comments.

Regards,

[redacted] (b)(7)(c)

Intelligence Research Specialist
Fraud Detection & National Security (FDNS)
1200 Wall Street West | 4th Floor | Lyndhurst, NJ 07071
Desk: 201-508-6100, Ext. [redacted] (b)(7)(c)

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U.S. Citizenship and Immigration Services

DEPARTMENT OF HOMELAND SECURITY
U.S. Citizenship and Immigration Services
Fraud Detection and National Security

LOCAL INFORMATION REPORT (LIR)

(b)(7)(e)

(U//~~FOUO~~) Asylum Applicants
Suspected of using Fraudulent Documents or New Identities

October 30, 2019

LIR: ZNK FDNS

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FDNS Case:

(b)(7)(c)

(b)(7)(e)

(b)(7)(e)

(b)(7)(e)

(b)(7)(c) (b)(7)(e)

Shirk, Georgette L

From: Young, Noel L
Sent: Monday, January 04, 2016 1:42 PM
To: Taubes, Ethan J; #ZNK Asylum Officers; #ZNK Supervisory Asylum Officers; Varghese, Sunil R; Heinrich, Lorie R
Subject: RE: Last week's credibility training

Hi all,

I'm sorry I missed this training! At the risk of sounding like a broken record, as I am sure Lauren and Ethan covered it, I just want to remind everyone that a credibility point is only valid (read: legally sufficient) if the interviewing officer provides the applicant with an opportunity to explain the inconsistency/lack of detail/implausibility. For example, just because there is a glaring inconsistency between the applicant's written statement and oral testimony, if the AO does not ask the applicant about it, that concern cannot be the basis of a negative credibility finding. Similarly, if an applicant's testimony lacks detail, the AO must ask the applicant why he is unable to provide more detail – and assess the reasonableness of the applicant's explanation – before the lack of detail can be the basis for a negative credibility point. Remember the five steps, applicable to both interviewing and assessment-writing:

	<u>Interview</u>	<u>Assessment</u>
Step 1	(b)(7)(e)	
Step 2		
Step 3		
Step 4		
Step 5		

Any questions, you know where to find me!

Noël Young
Training Officer | Newark Asylum Office
☎ [redacted] (b)(6)

From: Taubes, Ethan J
Sent: Saturday, December 12, 2015 8:08 AM
To: #ZNK Asylum Officers; #ZNK Supervisory Asylum Officers; Varghese, Sunil R; Heinrich, Lorie R
Subject: Last week's credibility training

I wanted to thank all of you for your active participation and engagement in the credibility training.

Advanced Decision Writing

September 2017

ZBO



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The Template

ASSESSMENT TO GRANT ASYLUM

ALIEN NUMBER: A [Principal A Number]

ASSESSMENT DATE:
[LAST REVISION DATE:]

NAME: [First Name LAST NAME]

ASYLUM OFFICER: [NAME/AO #]

COUNTRY: [Citizenship]

REVIEWING SAO: [NAME/SAO#]

LOCATION: Z__ [Complete Office Code]

Decision-making /Decision-writing Training Shell General Instructions:

- All bold or *italicized* language is for instructional purposes only and is to be deleted.
- Language in brackets reflects facts and analysis you must insert as appropriate.
- When citing to country conditions sources please do so in the body of the assessment and not in a footnote.

I. BIOGRAPHIC/ENTRY OR ARRIVAL/IMMIGRATION STATUS INFORMATION

The applicant indicated that [he/she] is a [age]-year-old [male/female] native of [country] and [citizen of [countr(ies)]] **OR** [stateless individual who last resided in [country]], who [entered the United States [without inspection] at [POE/location] on [date]] **OR** [was admitted to the United States at [POE] on [date] as a [status] until [date]]. **If status was changed/extended, indicate new date and provide new status and validity. Indicate if applicant received TPS and validity period.** The applicant [is/is not] in lawful status.

II. BASIS OF CLAIM

The applicant fears that [he/she] will be [harm feared] by [feared persecutor & country of feared persecution] on account of [protected ground or other reason].

III. ANALYSIS OF PROHIBITIONS AGAINST FILING FOR ASYLUM

A. **ONE-YEAR FILING DEADLINE** - If applicant will be referred because the applicant did not meet the OYFD, **STOP**. Use the OYFD referral template

1. **Adult applicants who filed for asylum within the 1-year filing deadline:**
OYFD A.1

2. **Adult applicants who did not file for asylum within the 1-year filing deadline:**

a. **Adults who establish date of entry but did not timely file, and who establish one or more circumstances and filed within a reasonable period.** **OYFD A.2.a**

b. **Applicants who could NOT establish their date of entry AND could NOT establish that they were outside the U.S. during the**

Assessment Components

- Header
- Bio/Entry Information
- Basis of Claim
- Prohibitions Against Filing for Asylum
- Summary of Testimony
- Credibility/Evidence Assessment
- Focused Legal Analysis
- Mandatory Bars/Discretionary Factors
- Decision

Assessment Components: Header

- Name and A Number of Applicant
 - Include Dependents, if any
- Country
- Assessment Date
 - Interview Date
 - Revision Date
- Asylum Officer
 - Interviewing vs. Adjudicating Officer
- Reviewing SAO
- Location of Interview
- Letterhead?

Assessment Components: Bio/Entry

- Gender
- Age
 - Time of interview vs. time of assessment
- Citizenship/Nationality
 - Native/citizen of vs. citizen of vs. stateless
- Date/Manner/Place of Entry
 - EWI vs. Established
 - Procedural history not required
- Current Status, if any

Assessment Components: Basis of Claim

The applicant fears that she will be harmed by her parents in Guatemala on account of her membership in the particular social group of Guatemalan children viewed as property by virtue of the position within the domestic relationship.

WHO the applicant fears (persecutor)

WHAT the applicant fears (harm)

WHERE the applicant fears (location)

WHY the applicant fears (nexus)

WHEN?

Future-looking

Assessment Components: Prohibitions Against Filing for Asylum

One Year Filing Deadline

- Filing date
- Timeliness
- Exception
 - Changed or Extraordinary Circumstance
 - Reasonableness of delay
- UAC cases

Assessment Components: One Year Filing Deadline

UACs with Prior Determination

(b)(6) (b)(7)(e)

Assessment Components: One Year Filing Deadline

UACs with No Prior Determination

(b)(6) (b)(7)(e)

Assessment Components: One Year Filing Deadline

Citing COI in Changed Circumstances Analysis

- If you find a change in conditions, cite the COI
- If you find no change in conditions, cite the COI covering the period beginning approximately 24 months before the date of filing and ending on the date of the decision in the case.

Assessment Components: One Year Filing Deadline

Citing COI in Changed Circumstances Analysis

- Exception for no nexus (e.g. cancellation) cases: Where COI is not relevant to the determination of changed circumstances because a change in country conditions would not materially affect the applicant's eligibility for asylum (e.g., where the applicant has not established a protected characteristic, the applicant is subject to a mandatory bar, and/or claims no fear of returning to country of origin), no description or citation of COI required.
- Assessment language: "Any change in country conditions would not materially affect the applicant's eligibility for asylum because [the applicant has not established a protected characteristic, entered the U.S. for solely economic reasons, etc.]" and an explanation of the reasons for the finding of no protected characteristic, no fear, or other reason country conditions would not materially affect the applicant's asylum eligibility.

Assessment Components: Summary of Testimony

- Brief
- Objective
- Relevant
- One Year Filing Deadline Cases



Assessment Components: Credibility/Evidence Assessment

Five-Step Framework

- Identify credibility concern
- Present evidence of concern
- Provide applicant's explanation
- Address reasonableness of explanation
- Explain how concern is relevant

Assessment Components: Focused Legal Analysis

- Past Persecution
 - Presumption of Well-Founded Fear
 - Other Serious Harm
 - *Chen*
- Independent Well-Founded Fear
 - Past harm not claimed *or* past persecution not established
 - *Mogharrabi* (PACI) vs. similarly situated

Note: Referrals may need analysis of past harm, rebuttable presumption of well-founded fear, humanitarian asylum (OSH and/or *Chen*), and independent well-founded fear claim.

Assessment Components: Focused Legal Analysis

Past Persecution

- Severity of Harm
- Motivation of Persecutor (nexus)
- Persecutor Identity (unable/unwilling)
- Location of harm

Assessment Components: Focused Legal Analysis

Past Persecution

- If past persecution found:
 - The applicant is a refugee* assuming no persecutor bar
 - Move on to presumption of well-founded fear.
- If past persecution *not* found:
 - The applicant is not (yet) a refugee
 - Move on to independent claim of well-founded fear, if any.

Assessment Components: Focused Legal Analysis

Presumption of Well-Founded Fear

- Change in Circumstances
 - Personal or COI
- Internal Relocation
 - If government is persecutor, presumptively unreasonable.

Assessment Components: Focused Legal Analysis

Presumption of Well-Founded Fear

- If presumption is not rebutted, move on to bars.
- If presumption is rebutted, analyze options for grant of humanitarian asylum in the absence of well-founded fear.

Assessment Components: Focused Legal Analysis

Humanitarian Asylum

- Other Serious Harm
 - Reasonable possibility
 - Severity of Harm
 - No nexus required
- *Chen*
 - Severity of past harm

Assessment Components: Focused Legal Analysis

Humanitarian Asylum

- If OSH or *Chen* established, proceed to bars.
- If OSH or *Chen* not established, analyze independent well-founded fear, if any.

Assessment Components: Focused Legal Analysis

Independent Well-Founded Fear

- Past harm not claimed *or* past persecution not established
- Severity of harm
- *Mogharrabi* (PACI) or similarly situated
- Internal Relocation

For grants: All elements must be addressed.

For referrals: Only the element that fails need be addressed (e.g. harm or one prong of PACI or ability to relocate).

Assessment Components: Focused Legal Analysis Independent Well-Founded Fear

- *Mogharrabi*
 - Possession (protected ground)
 - Awareness (protected ground)
 - Capability (unable/unwilling)
 - Inclination (nexus)
- Similarly situated
- Internal Relocation

Assessment Components: Focused Legal Analysis

Independent Well-Founded Fear

If all four elements are met, the applicant has established that she is a refugee.*

assuming no persecutor bar

Proceed to bars.

If any of the four elements is not met, the applicant is *not* a refugee. Analyze all additional posited claims and then proceed to bars.

Assessment Components: Focused Legal Analysis

Shortcuts for Grants

PSGs: first analyze the PSG and the applicant's membership therein; then analyze the other elements of past or well-founded fear.

Independent WFF: If past persecution fails, presumption is rebutted, no *OSH/Chen*, you do not need to do full past persecution analysis. Note claimed past harm but move straight to independent WFF.

Assessment Components: Focused Legal Analysis

Shortcuts for Referrals

PSGs

If the PSG is invalid, you only need to address one prong that fails (e.g. immutability, particularity or social distinction).

If the PSG is valid but the applicant is not a member, you do not need to do the full *M-E-V-G-* analysis. Just explain why applicant is not a member.

No Nexus

If neither past nor future harm is on account of protected ground, you can explain this in past persecution section and skip the section on well-founded fear:

“The events the applicant described and the harm applicant fears are not found to have been on account of one of the five protected grounds.”

[Explain.]

Assessment Components: Focused Legal Analysis

Shortcuts for Referrals (cont.)

No WFF

Even if the applicant can establish some of the prongs of *Mogharrabi*, you only need to address the one that fails (e.g. the applicant may be a Christian but do not worry about possession and awareness if his feared persecutor is not inclined to harm him on account of his religion).

Assessment Components: Material Bars/Discretionary Factors

- No Bars or Discretionary Factors
- Potential Bars
- Bar with Exemption
 - Analysis of exemption eligibility required in assessment *and* exemption worksheet.
- Bar (Referral)

Assessment Components: Decision

Only two options!

- Eligible → Grant
- Not eligible → Referral or NOID

Assessment Components

- Headings?
- Referencing the names of DHS or other government databases?
- Referencing referral to HQ for additional/quality assurance review?

Advanced Decision Writing



ZBO CONSOLIDATED FRAUD ALERT TABLE

ATTORNEYS	PREPARERS	INTERPRETERS	PHYSICIANS
	(b)(7)(c)		(b)(7)(c)
		DOCUMENT TRANSLATORS	

PLEASE SUBMIT FRAUD REFERRALS FOR THE FOLLOWING CATEGORIES:

(b)(7)(e)

VISA FRAUD	All visa fraud cases.
DOCUMENT FRAUD	Any fraudulent documents.

~~FOR OFFICIAL USE ONLY~~

ZBO CONSOLIDATED FRAUD ALERT TABLE

**PLEASE BE SURE TO CLEARLY ARTICULATE WHY
THE FRAUD REFERRAL IS BEING MADE**

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Operation

(b)(7)(e)



U.S. Citizenship
and Immigration
Services

Fraud Detection and National Security Directorate
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Unclassified // ~~For Official Use Only (FOUO)~~

USCIS05159

Background:

(b)(7)(e)



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USCIS05160

USCIS Fifth Production Part 1
356 of 877

Hypothesis, Basis and Initial Findings

-
-
-
-

(b)(7)(e)



U.S. Citizenship
and Immigration
Services

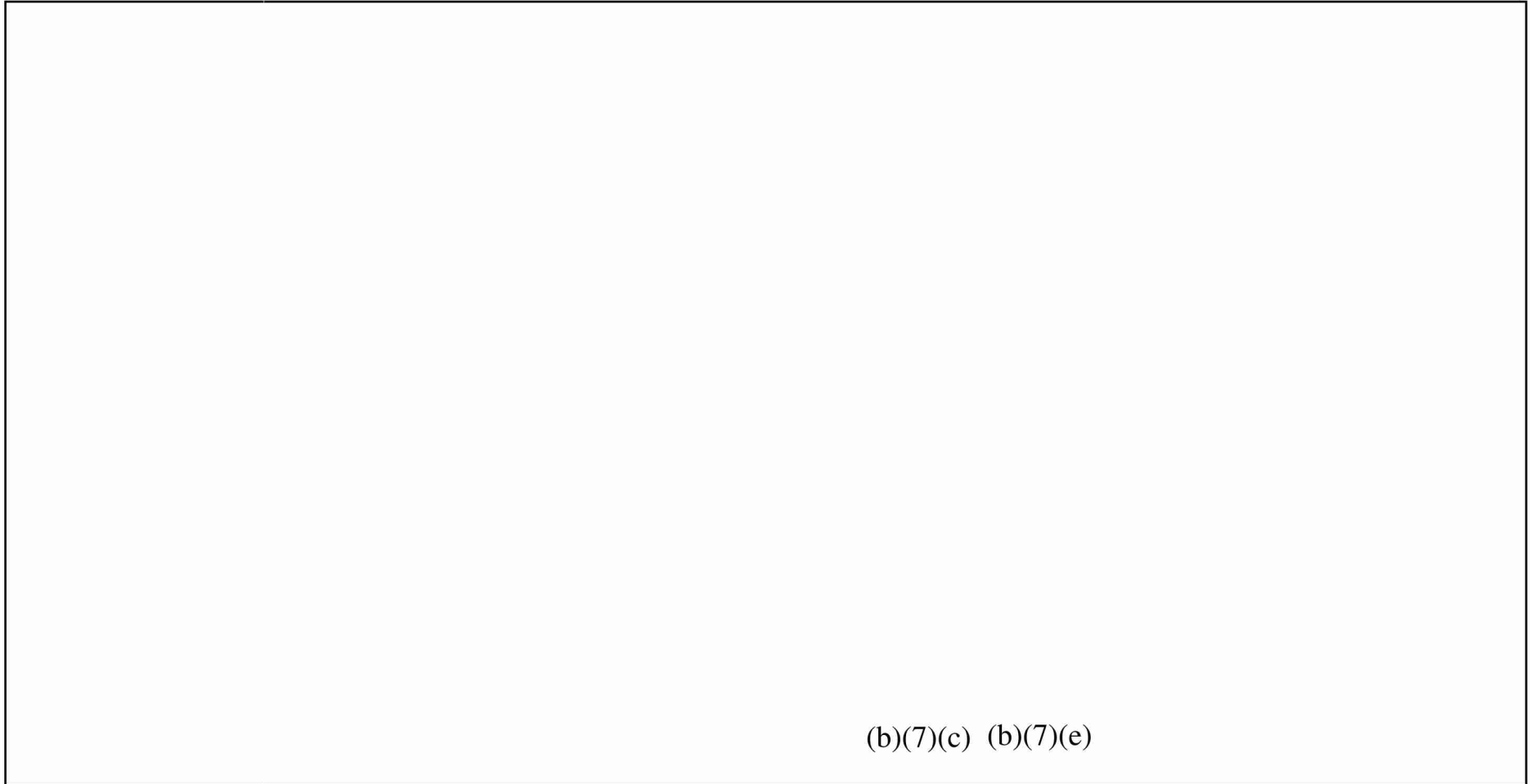
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USCIS05161

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357 of 877

(b)(7)(e)



(b)(7)(c) (b)(7)(e)



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USCIS05162

USCIS Fifth Production Part 1
358 of 877

What we know:

-

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(b)(7)(e)

-

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USCIS05163

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(b)(7)(e)

Operation & Operation

(b)(7)(e)



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USCIS05164

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360 of 877



FDNS POCs

[Redacted]

(b)(7)(c)

Current Investigation Status

[Redacted]

(b)(7)(e)

Current FDNS focus

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-
-

[Redacted]

(b)(7)(e)



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USCIS05165



COMMON CLAIMS

- (b)(7)(e)
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Other Indicators/Red Flags

- (b)(7)(e)
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(b)(7)(e)

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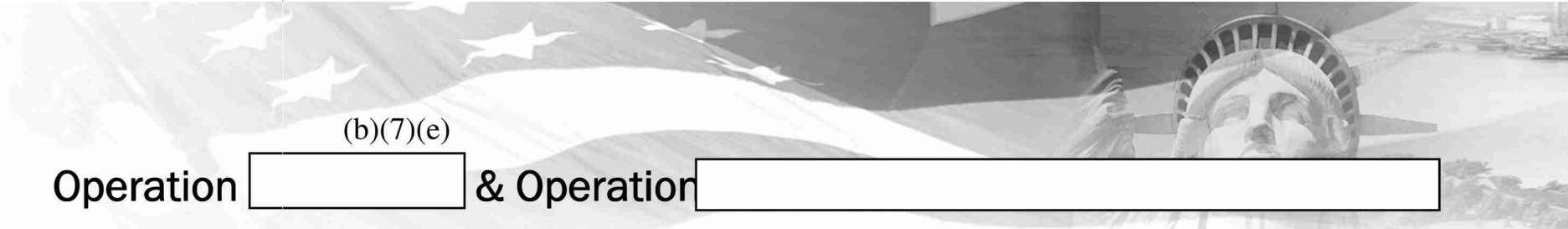
U.S. Citizenship
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USCIS05167

USCIS Fifth Production Part 1
363 of 877



(b)(7)(e)

Operation

[Redacted]

& Operation

[Redacted]

FDNS POC(s)

(b)(7)(e)

(b)(7)(c)

Current Investigation Status

(b)(7)(e)

- [Redacted]
- [Redacted]
- [Redacted]

(b)(7)(e)

How adjudications can assist

- [Redacted]
- [Redacted]
- [Redacted]

(b)(7)(e)



and Immigration Services

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USCIS05168



Local Trends

Operation **& Operation**

Common Claims

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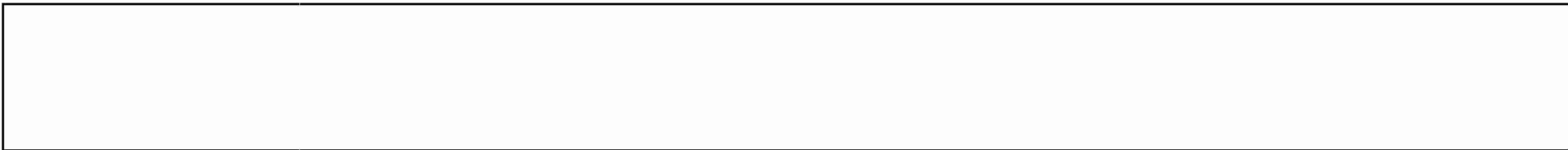
Other Indicator(s)/ Red flag(s)

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Unclassified // ~~For Official Use Only (FOUO) Law Enforcement Sensitive (LES)~~



Recent Example



(b)(7)(e)

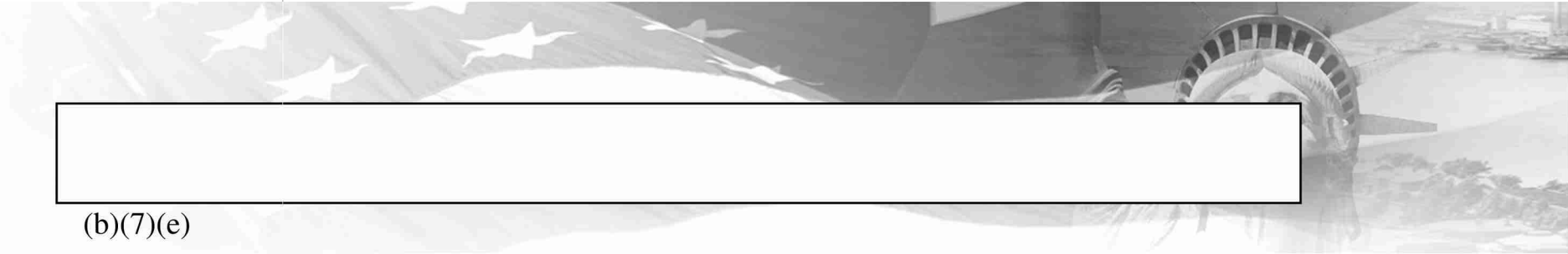


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USCIS05170



[Redacted]

(b)(7)(e)

■ Background

■ [Redacted]

(b)(7)(e)



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USCIS05171

(b)(7)(e)



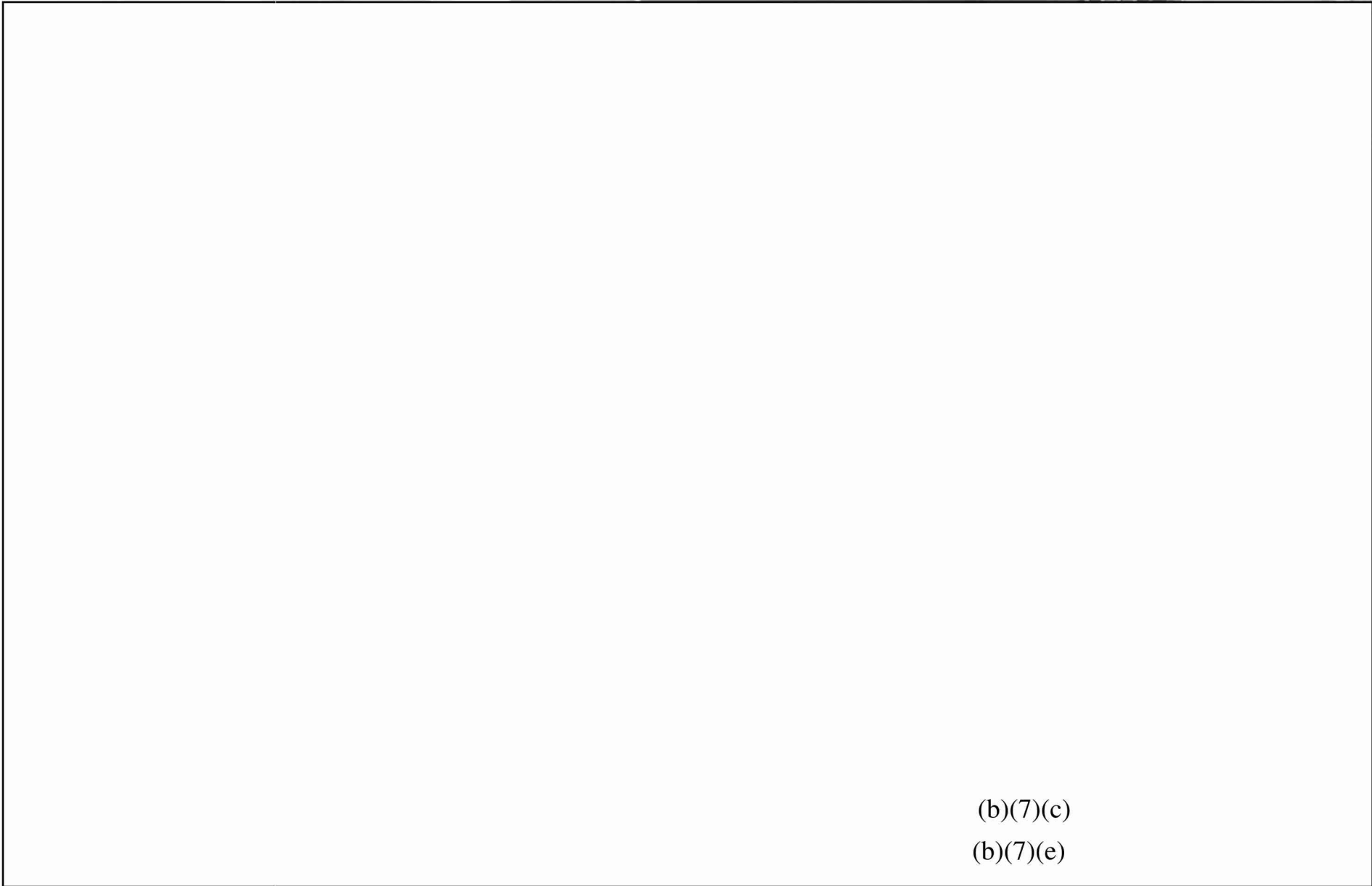
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USCIS05172

USCIS Fifth Production Part 1
368 of 877



(b)(7)(c)

(b)(7)(e)



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USCIS05173

(b)(7)(e)

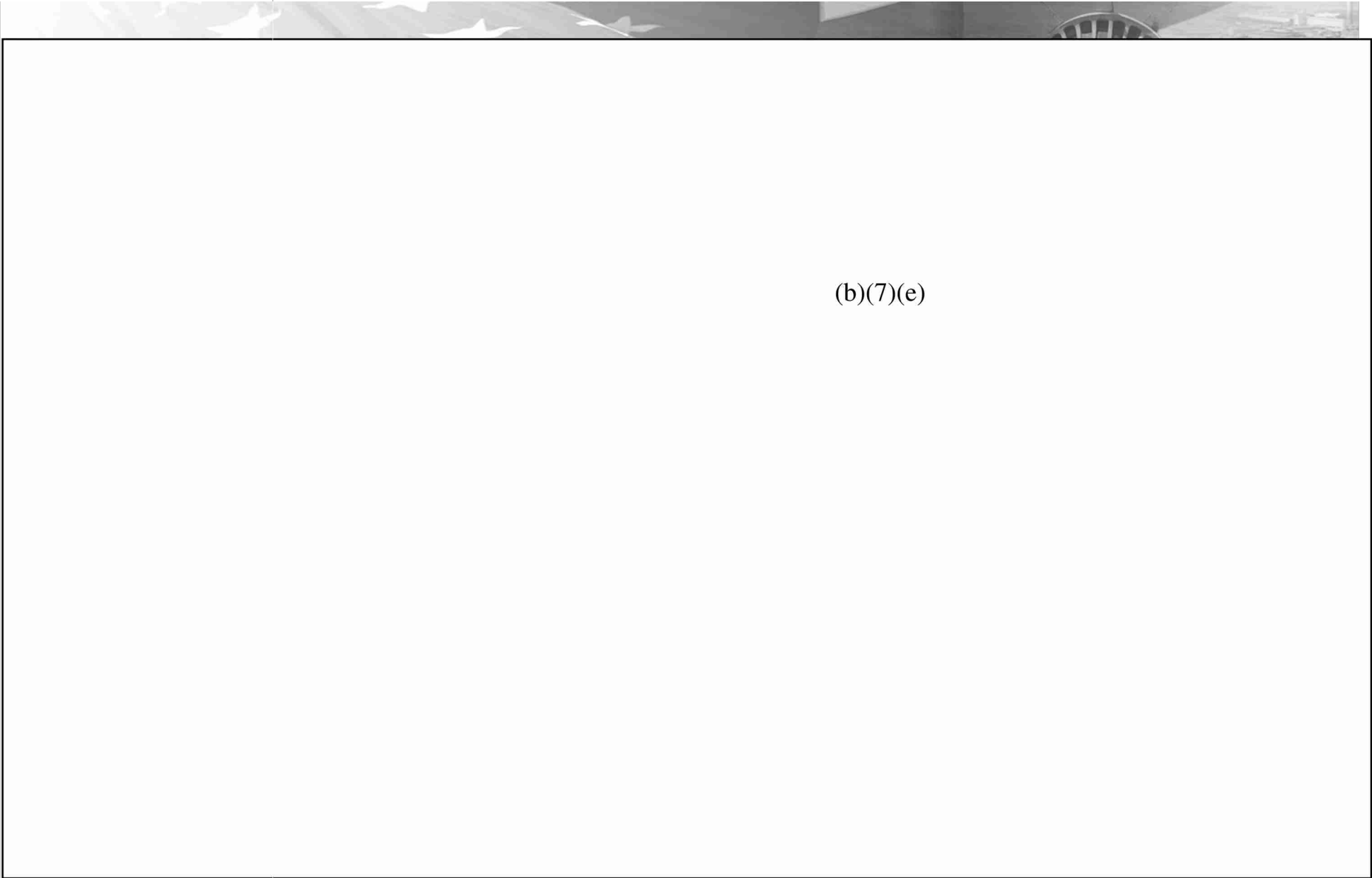


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USCIS05174



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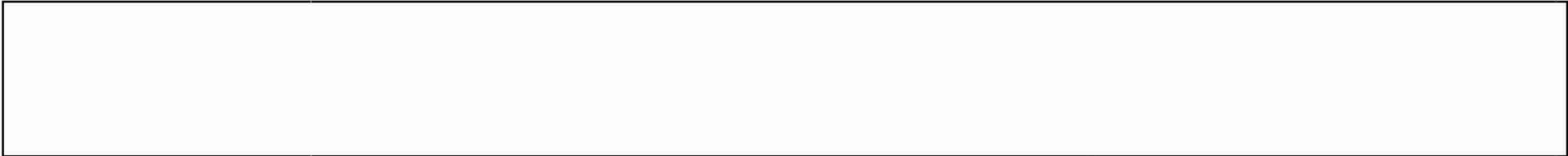
Fraud Detection and National Security Directorate
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USCIS05175



Recent Example



(b)(7)(e)

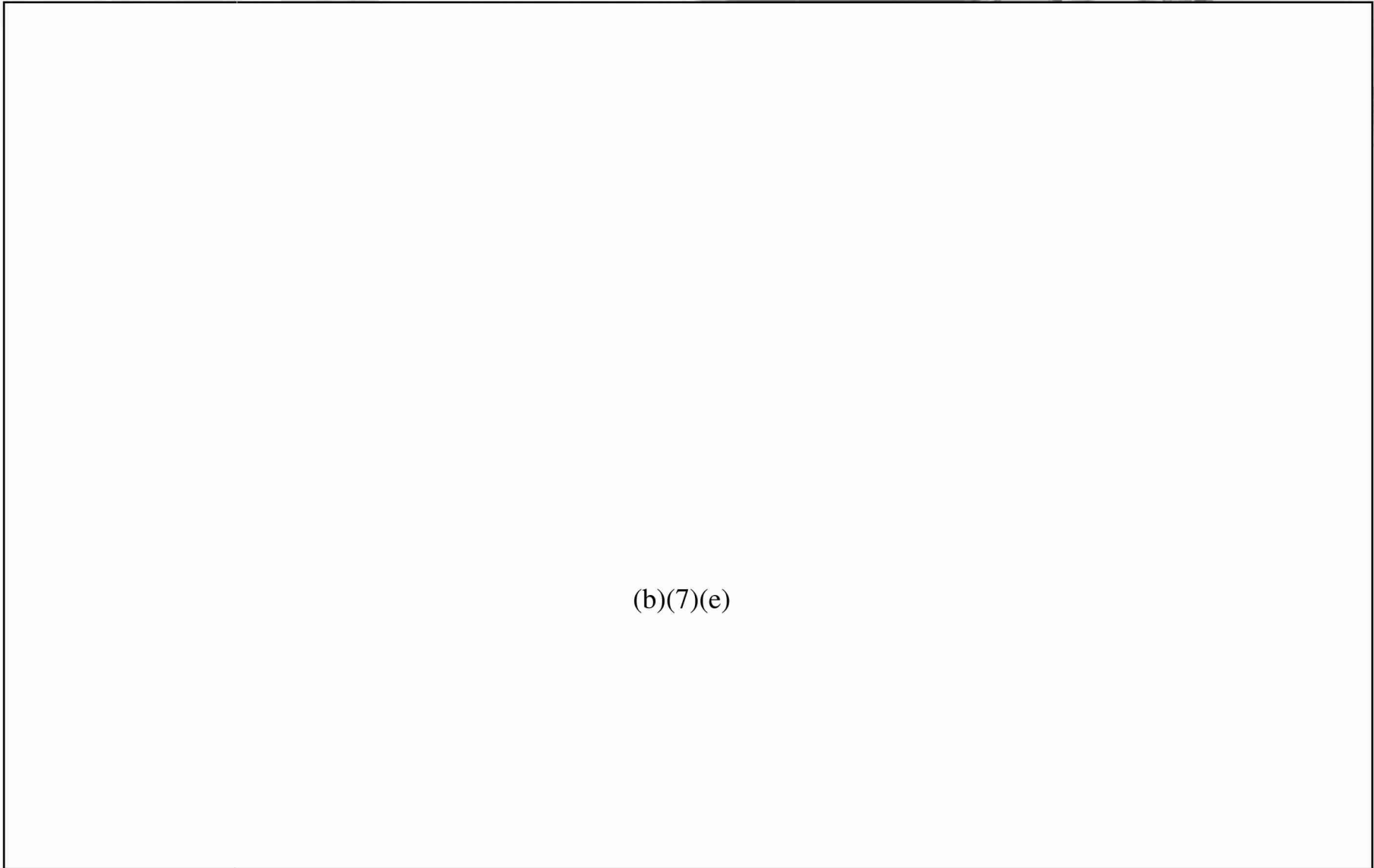


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USCIS05176



(b)(7)(e)

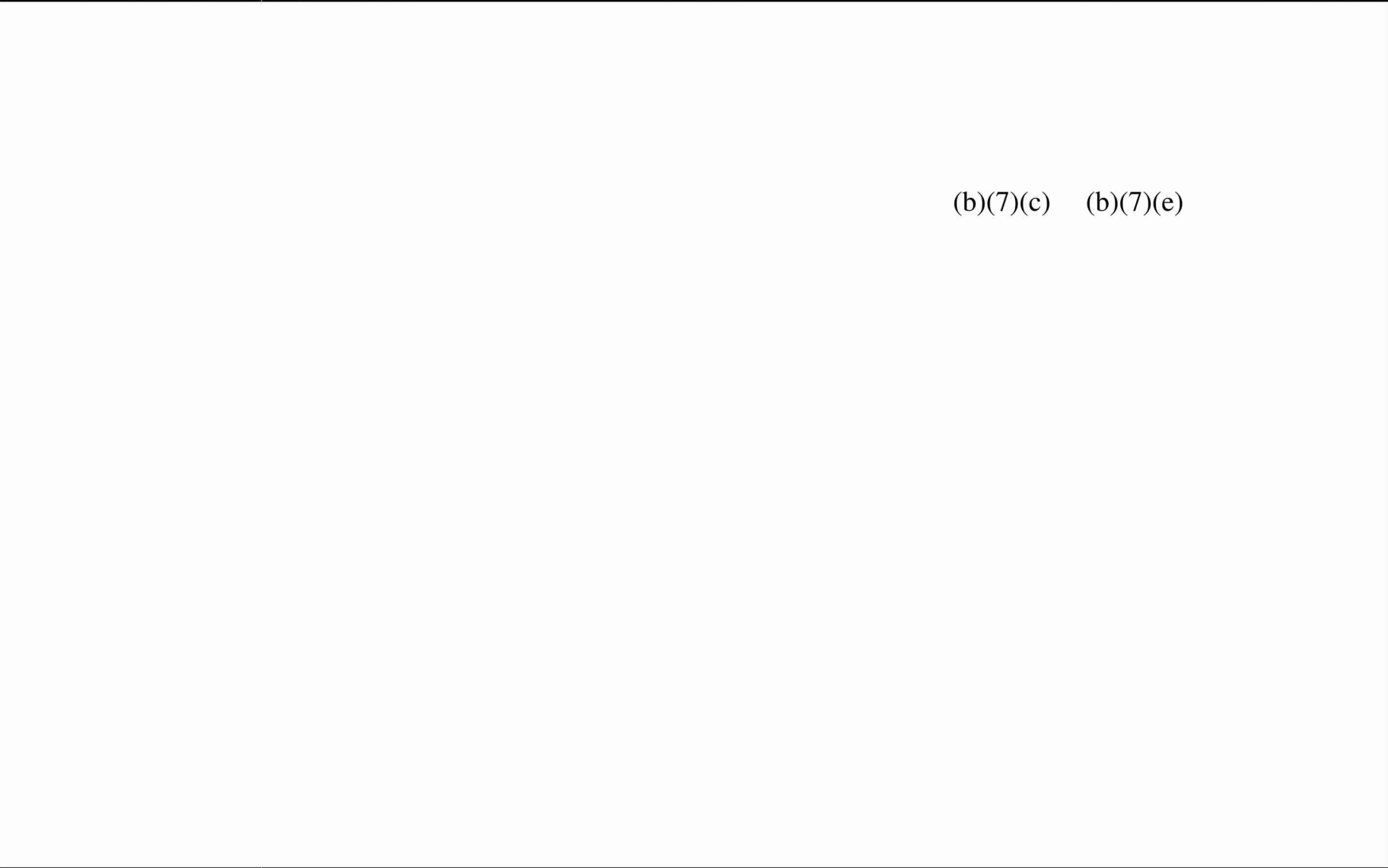


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USCIS05177



(b)(7)(c) (b)(7)(e)



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USCIS05178

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374 of 877



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USCIS05179

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375 of 877



(b)(7)(e)



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USCIS05180



(b)(7)(e)



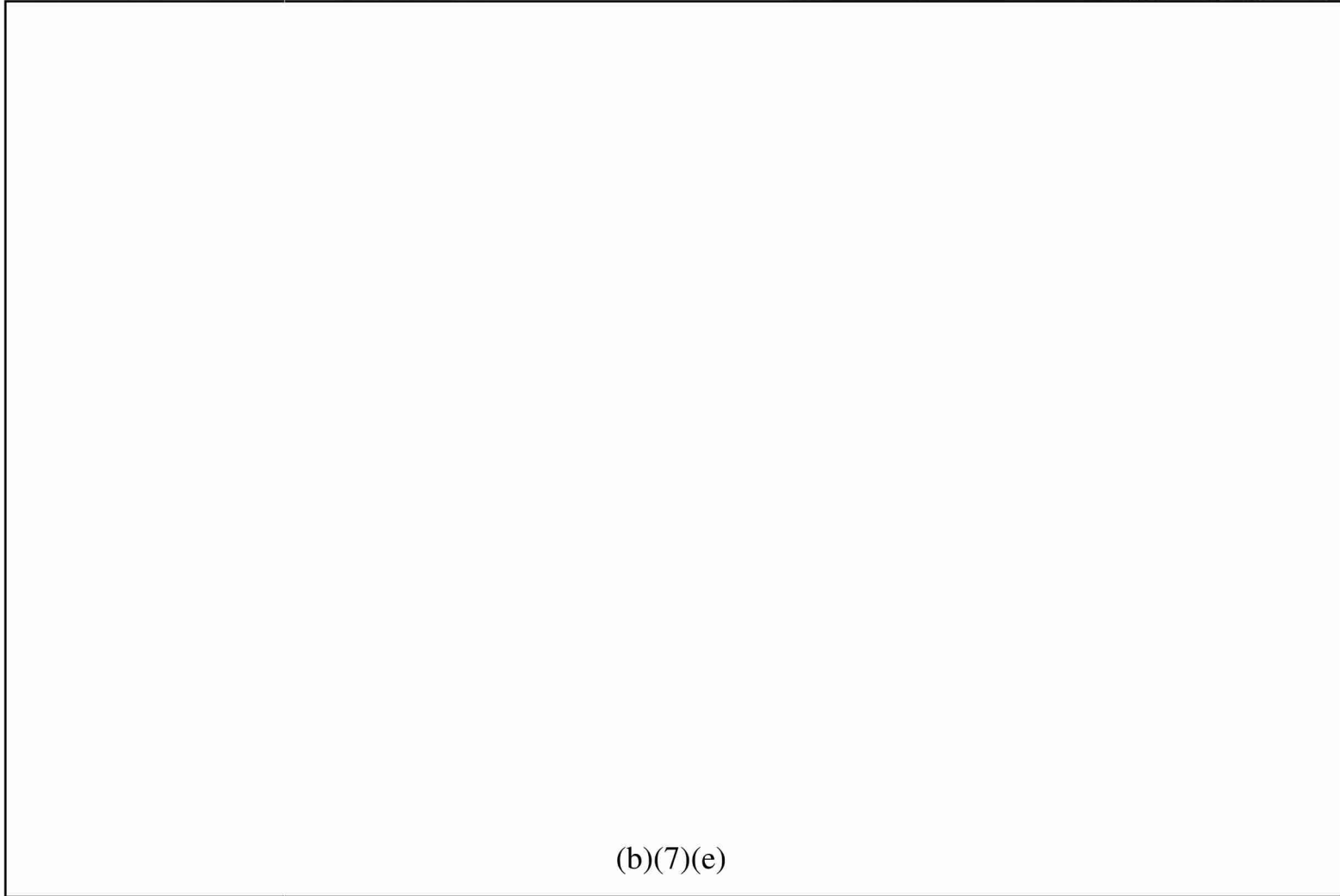
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USCIS05181

USCIS Fifth Production Part 1
377 of 877



(b)(7)(e)



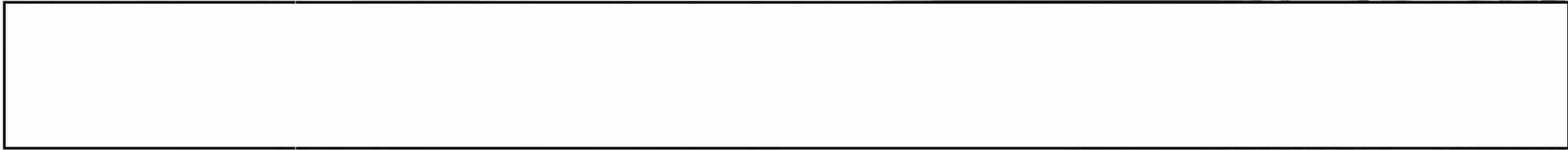
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USCIS05182

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378 of 877



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- (b)(7)(e)



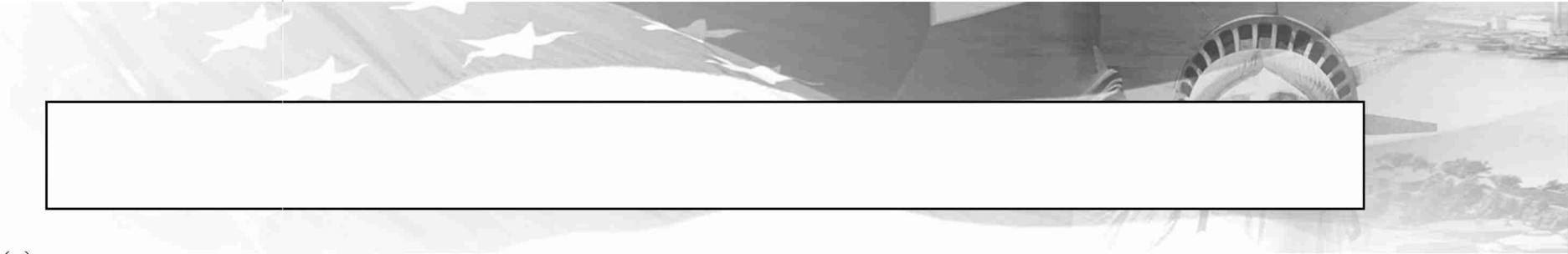
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USCIS05183

USCIS Fifth Production Part 1
379 of 877



[Redacted]

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[Redacted]



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USCIS05184



[Redacted]

(b)(7)(e)

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[Redacted]



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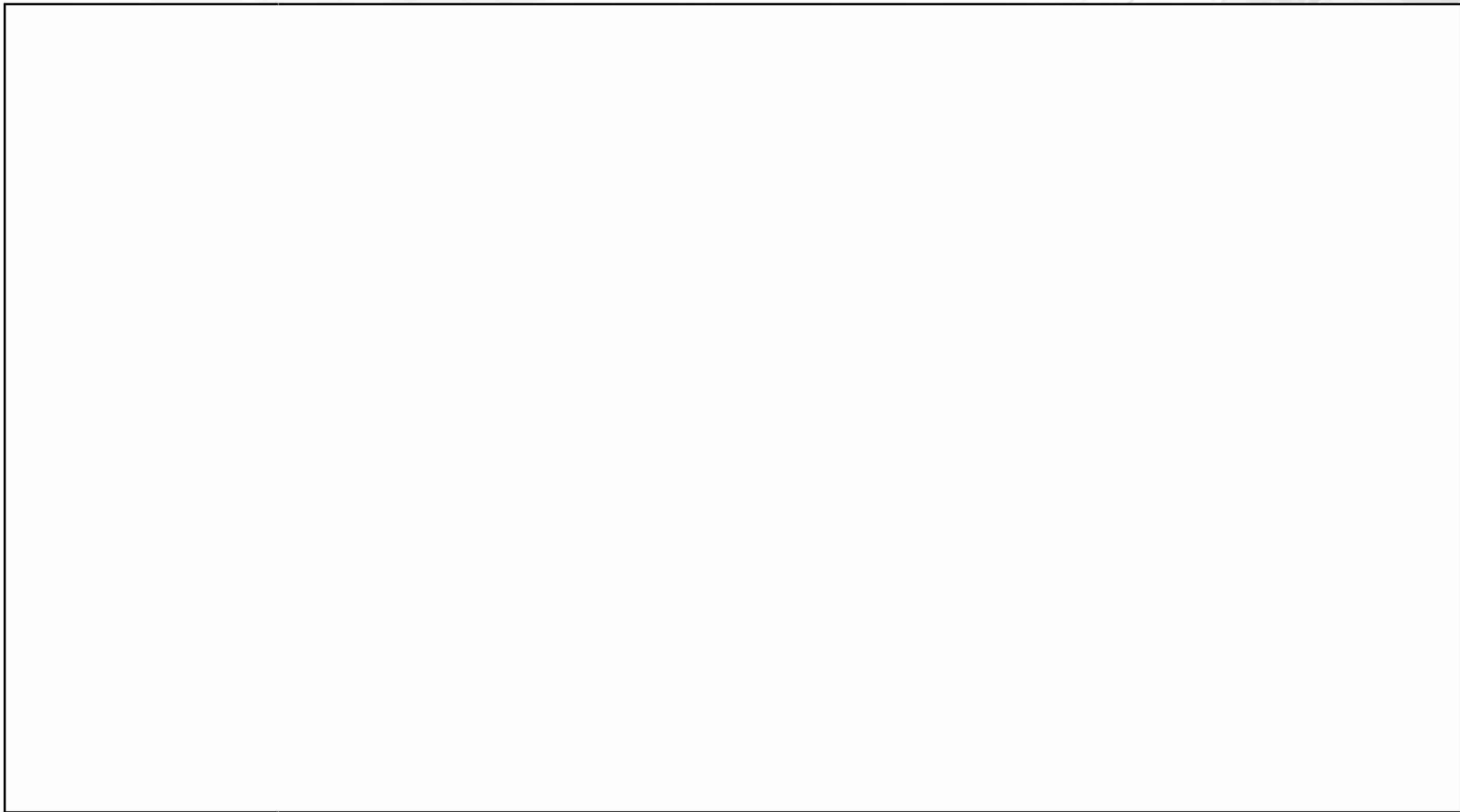
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USCIS05185

(b)(7)(c)
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Example



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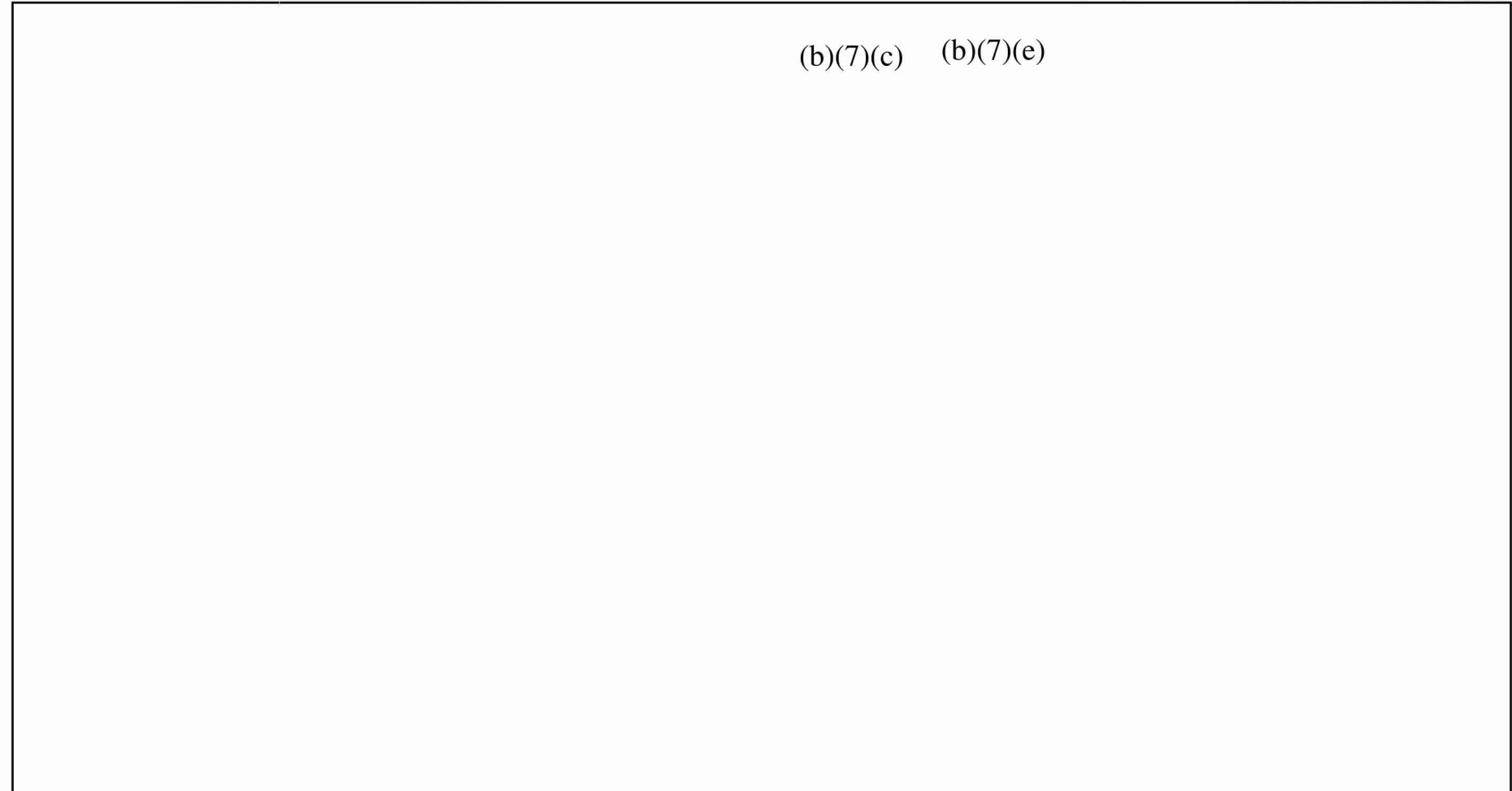
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USCIS05186

USCIS Fifth Production Part 1
382 of 877

(b)(7)(e)



(b)(7)(c) (b)(7)(e)

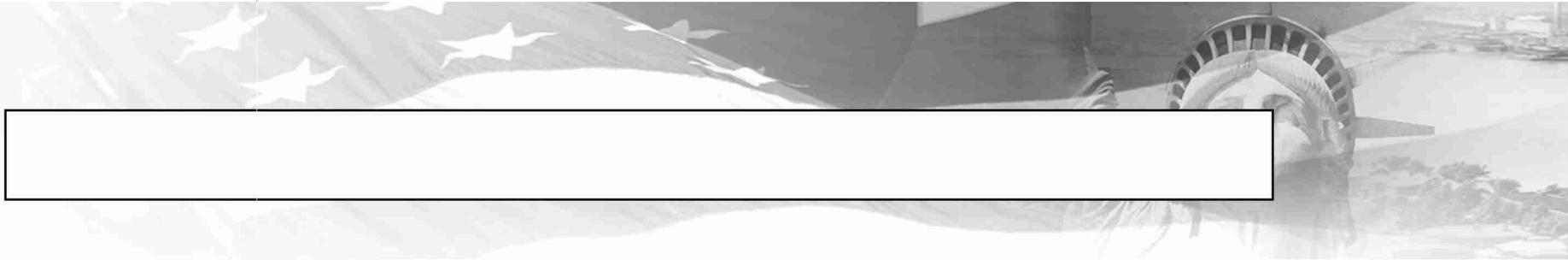


U.S. Citizenship
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Services

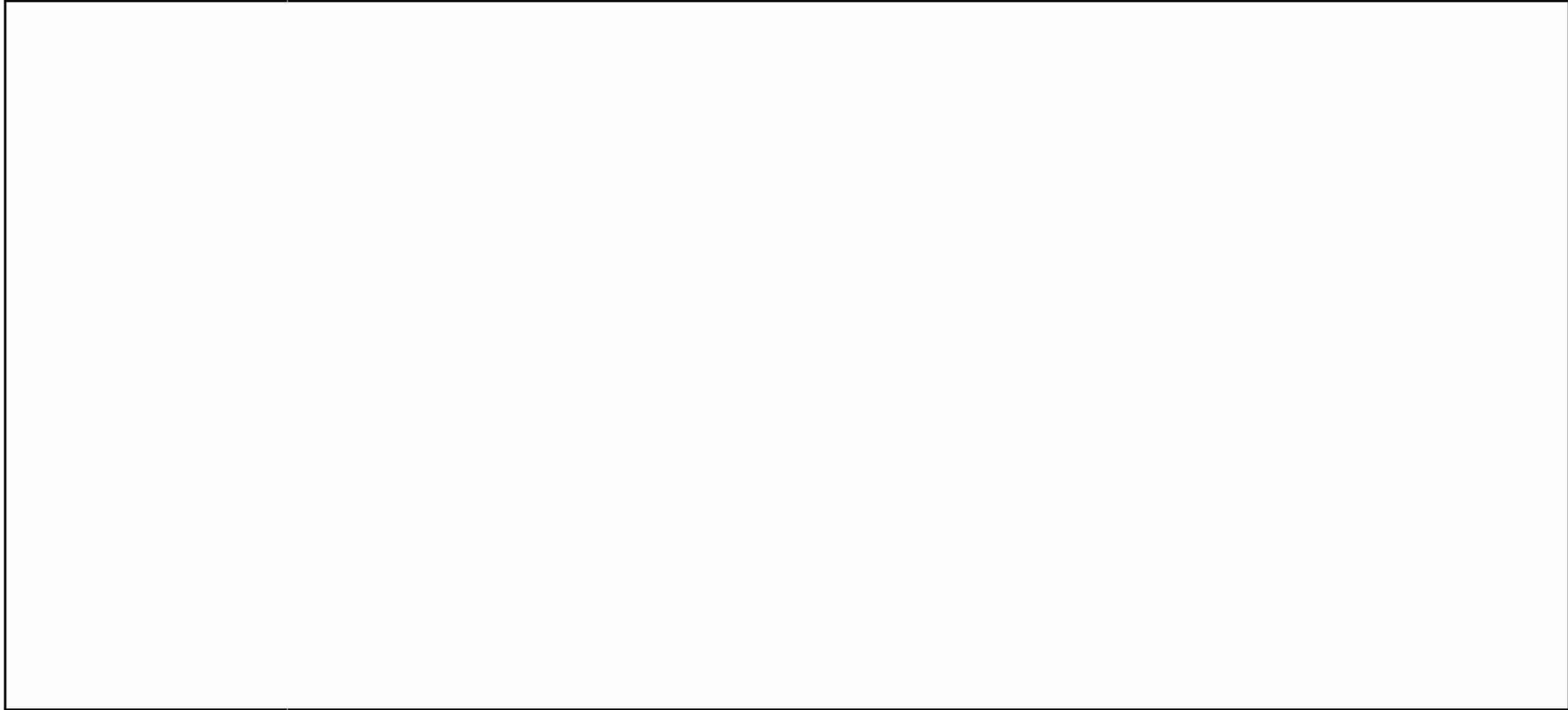
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USCIS05187



(b)(7)(e)



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Services

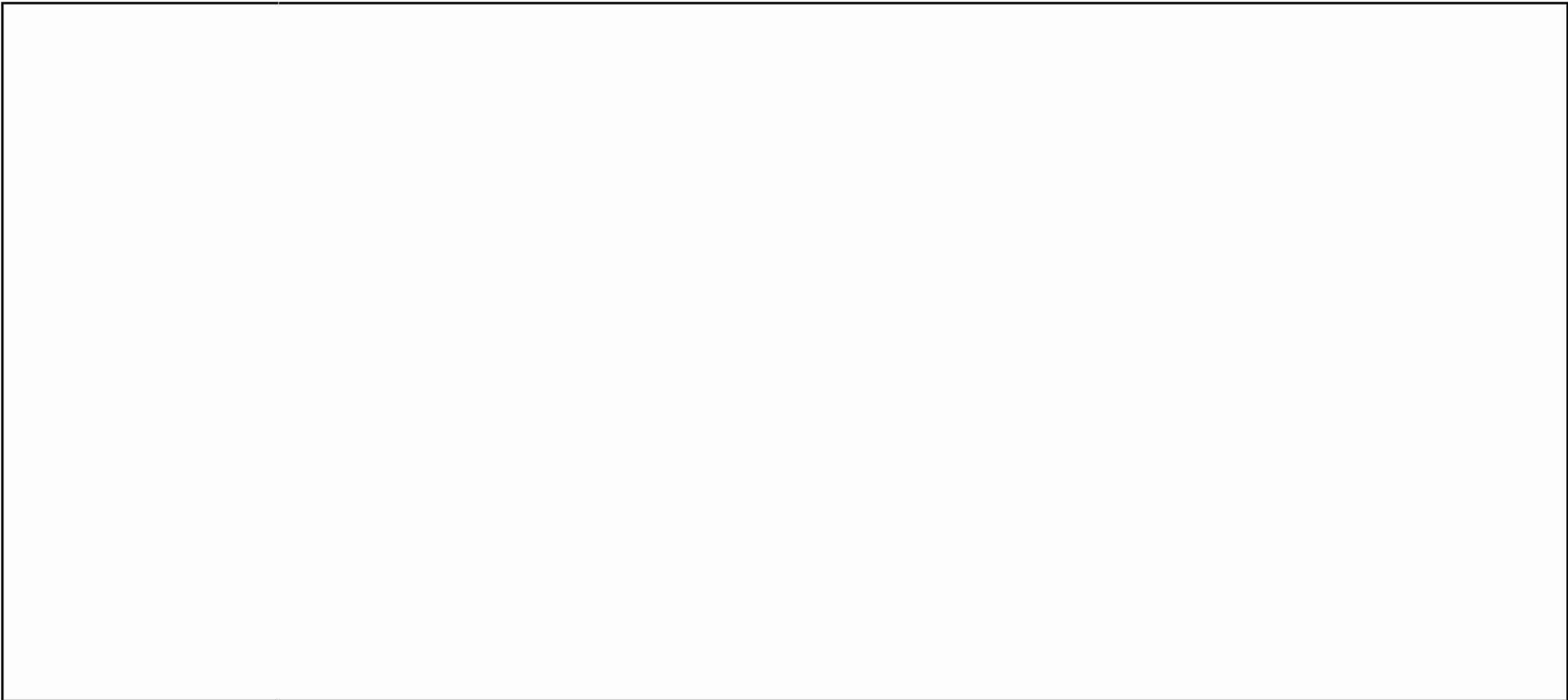
Fraud Detection and National Security Directorate
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USCIS05188



(b)(7)(e)

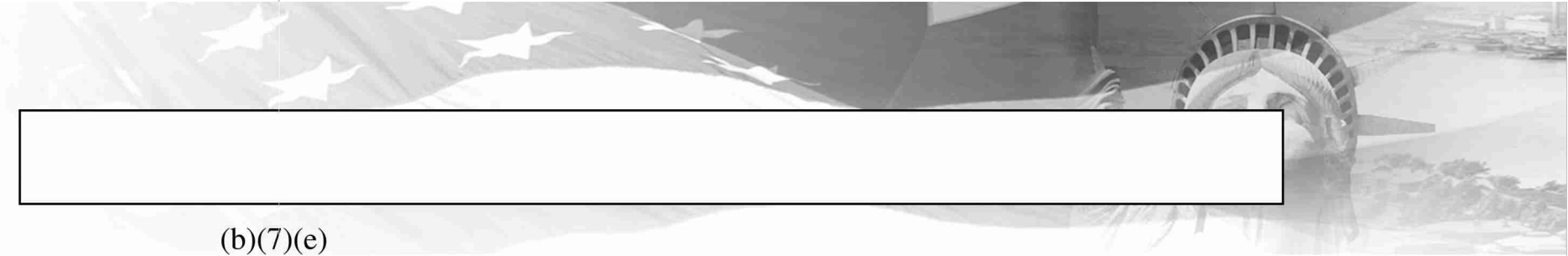


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USCIS05189



(b)(7)(e)

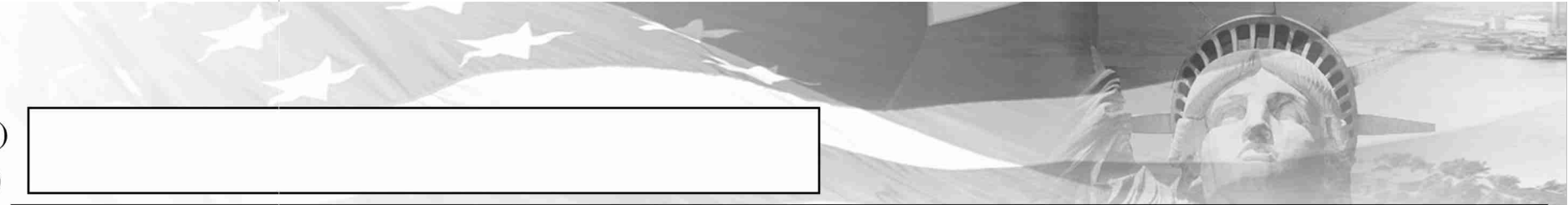


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USCIS05190



[Redacted]

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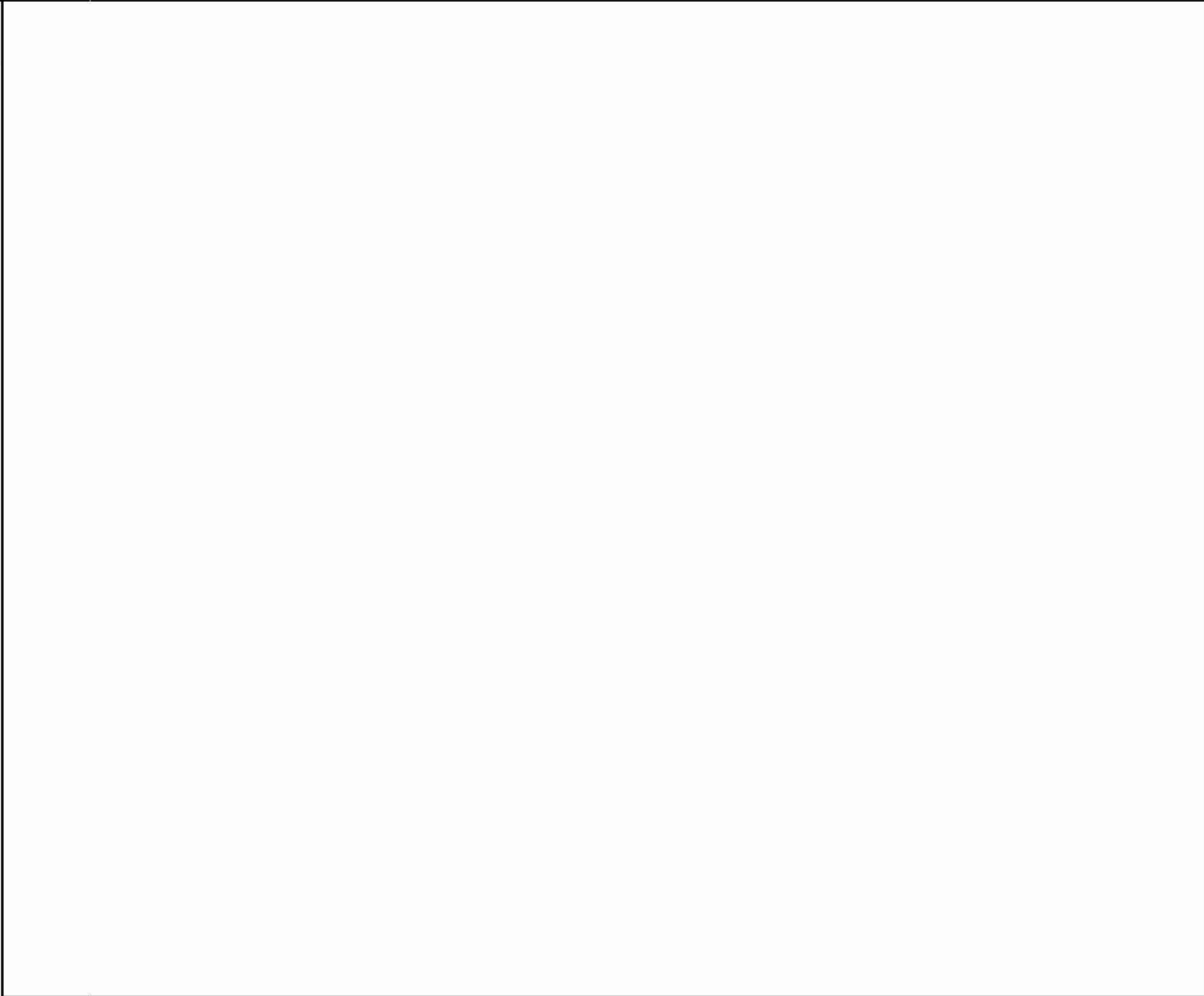
Unclassified // ~~For Official Use Only (FOUO)~~

USCIS05191



Cont.

(b)(7)(e)

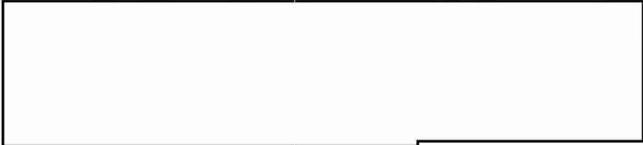
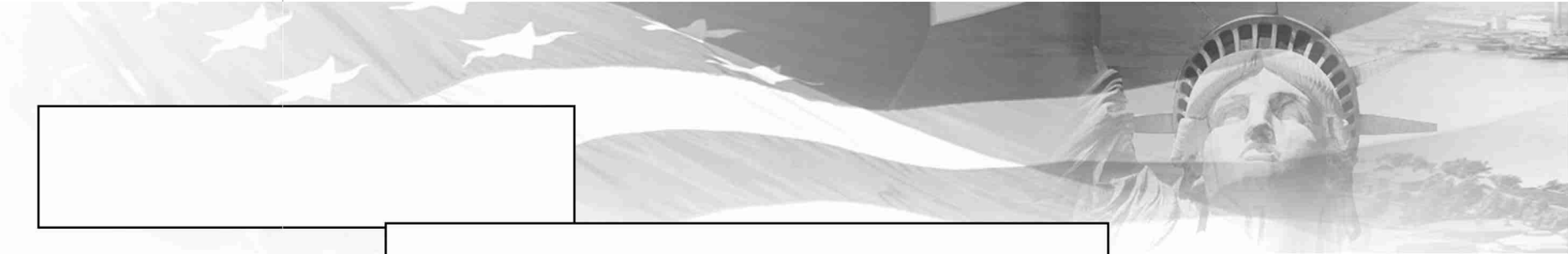


U.S. Citizenship
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Services

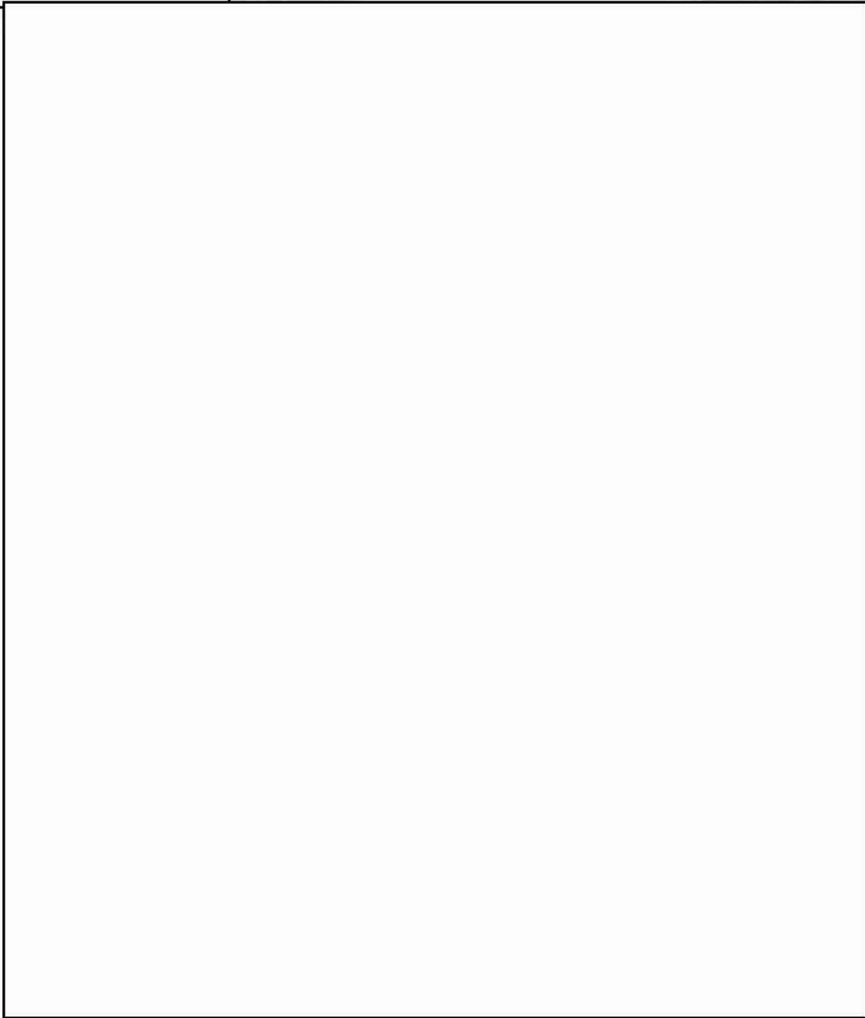
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(b)(7)(e)
(b)(7)(c)



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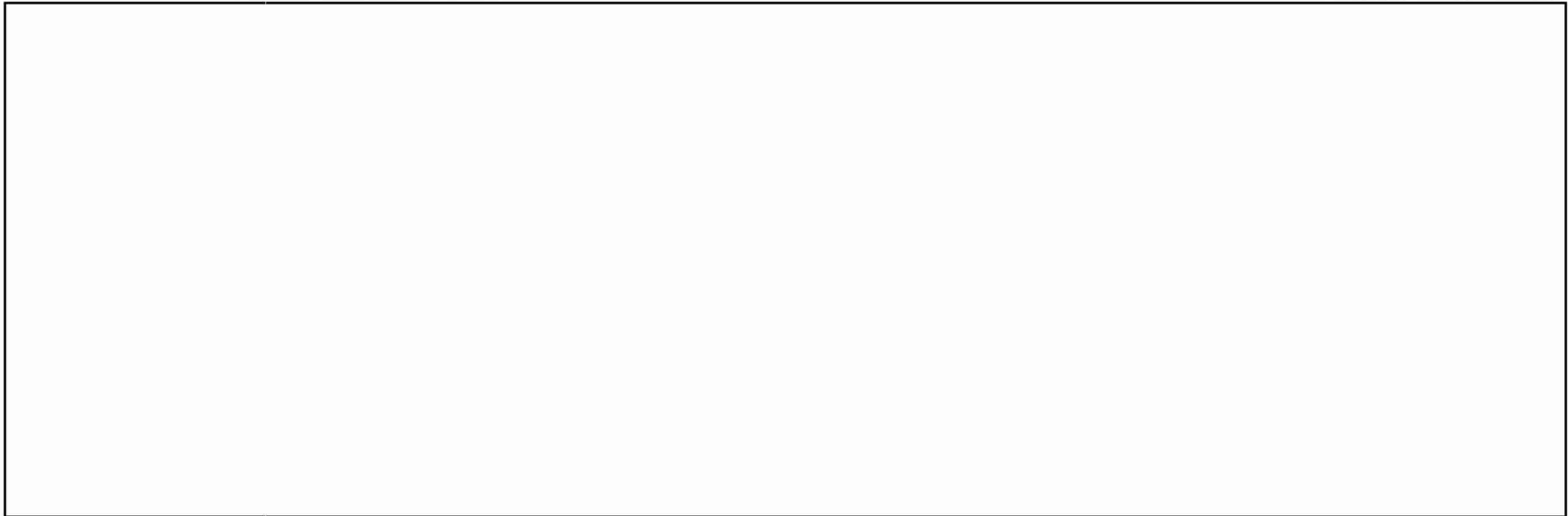
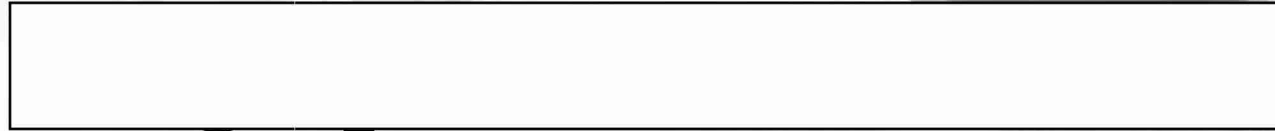
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USCIS05194



Cont.

(b)(7)(e)



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USCIS05195



Cont.

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USCIS05196



[Redacted]

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[Redacted]



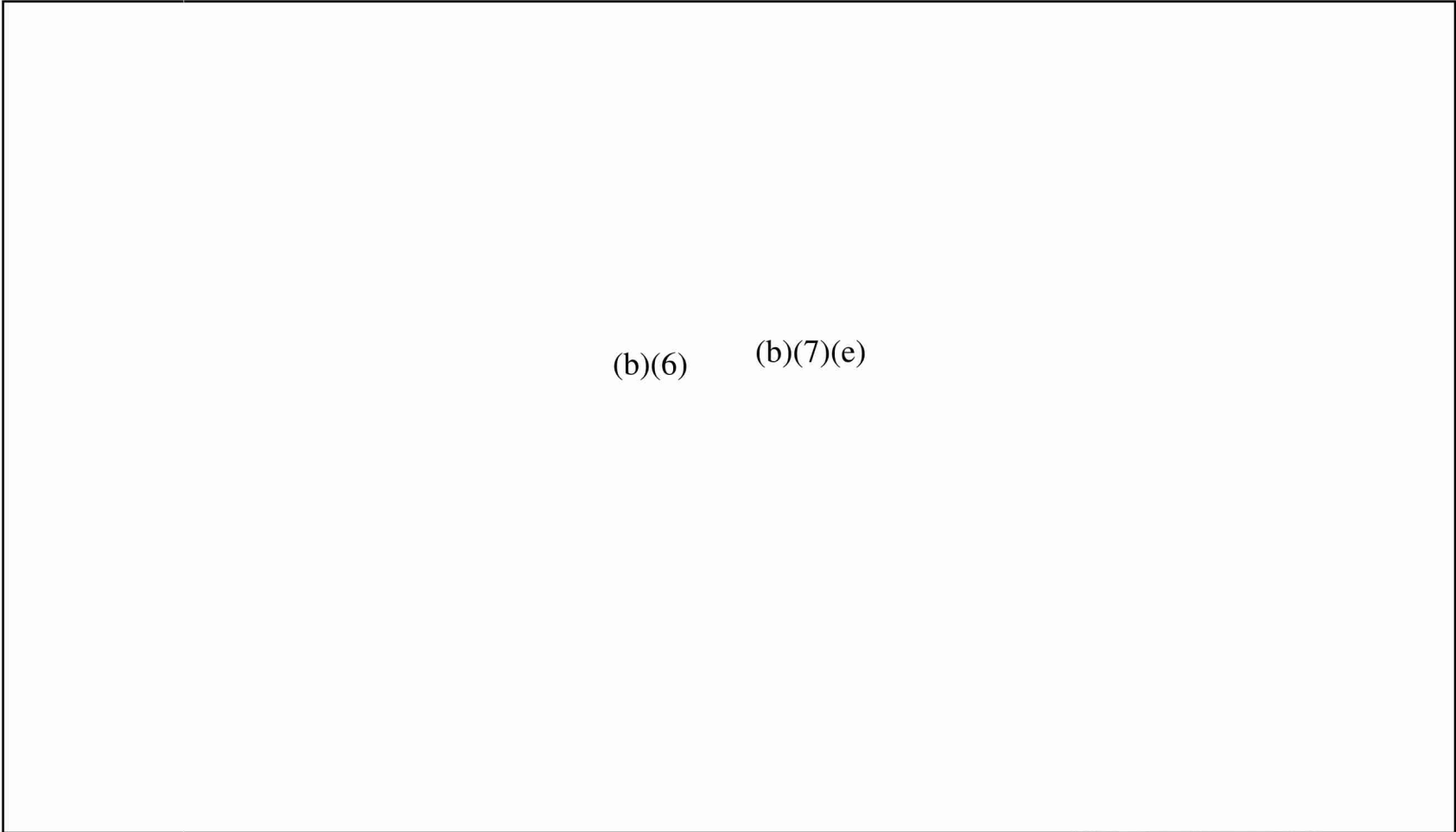
U.S. Citizenship and Immigration Services

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USCIS05197

(b)(7)(e)



(b)(6) (b)(7)(e)



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USCIS05198



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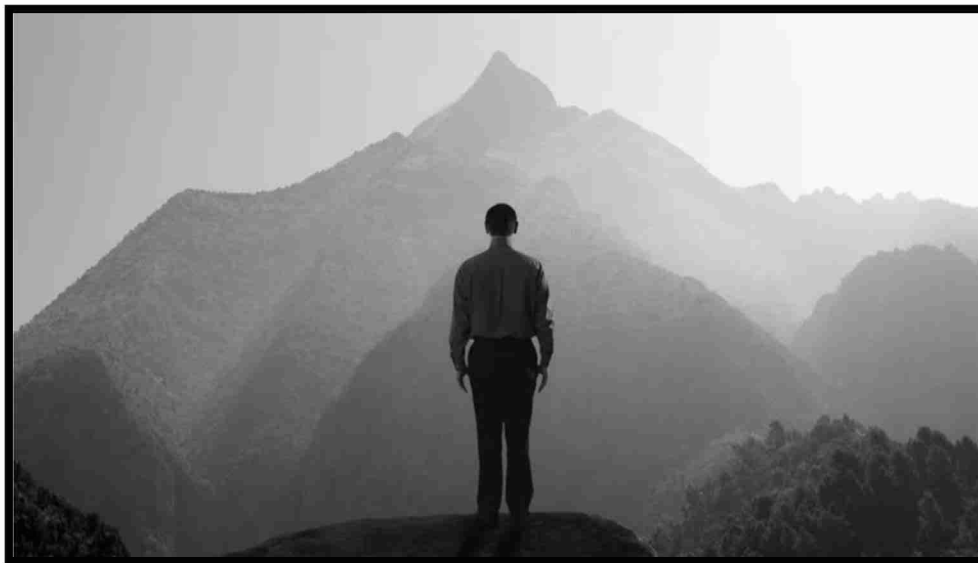
Fraud Detection and National Security Directorate
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USCIS05199



What We're Up Against



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42

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396 of 877



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USCIS05201

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USCIS05202



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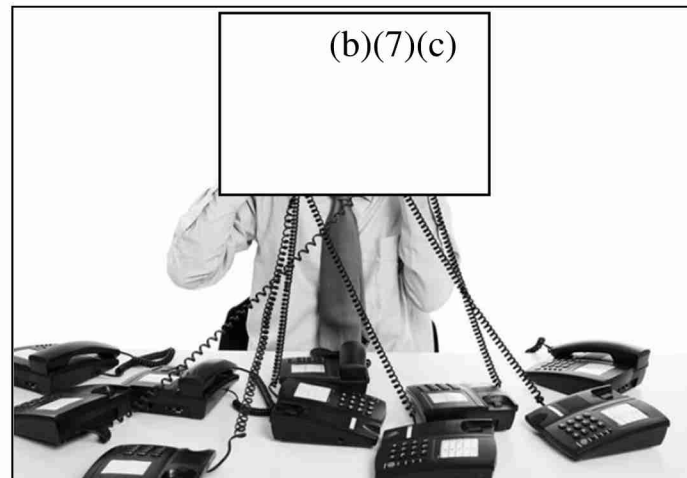
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USCIS05203

USCIS Fifth Production Part 1
399 of 877



What We're Doing About It



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USCIS05205

47

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401 of 877



What Can I As An Adjudicator Do About It

(b)(7)(c)



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USCIS05206

48

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USCIS05207



(b)(7)(e)

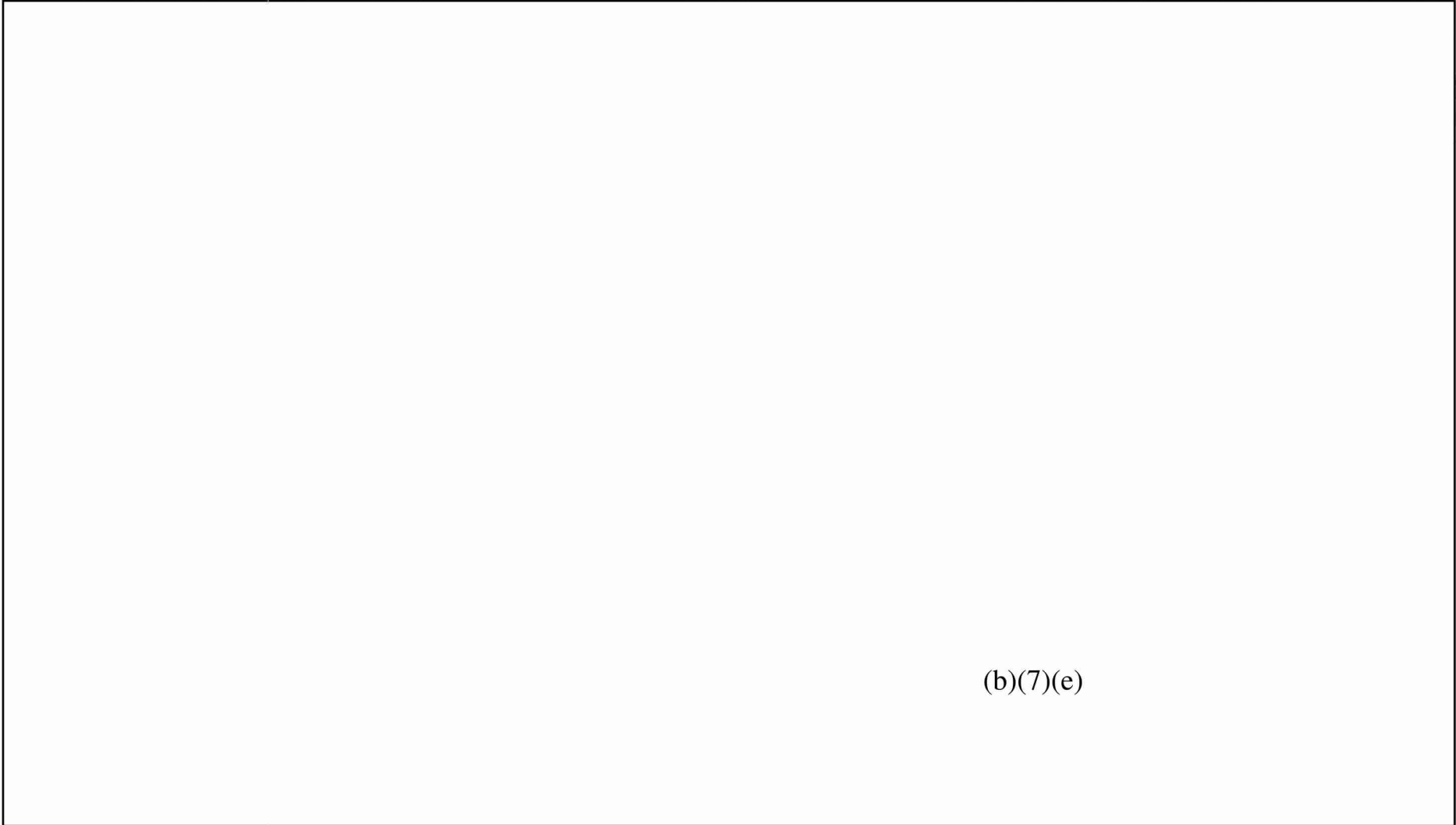


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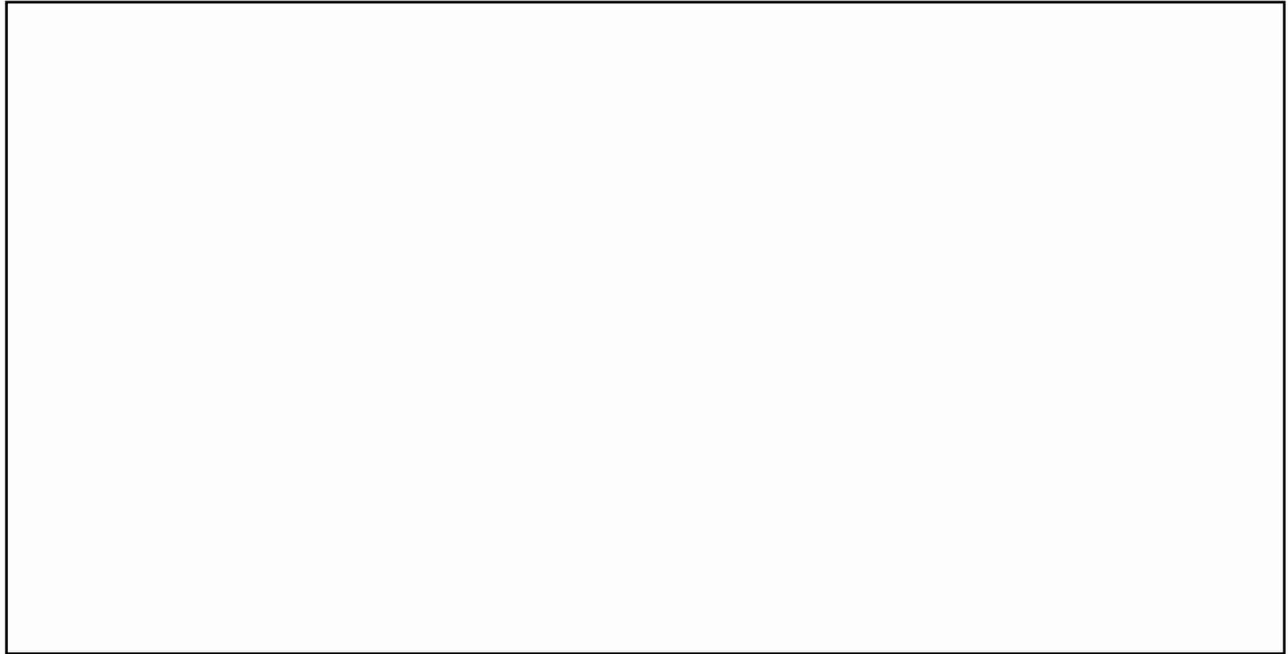
USCIS05209



Operation



(b)(7)(e)



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USCIS05210

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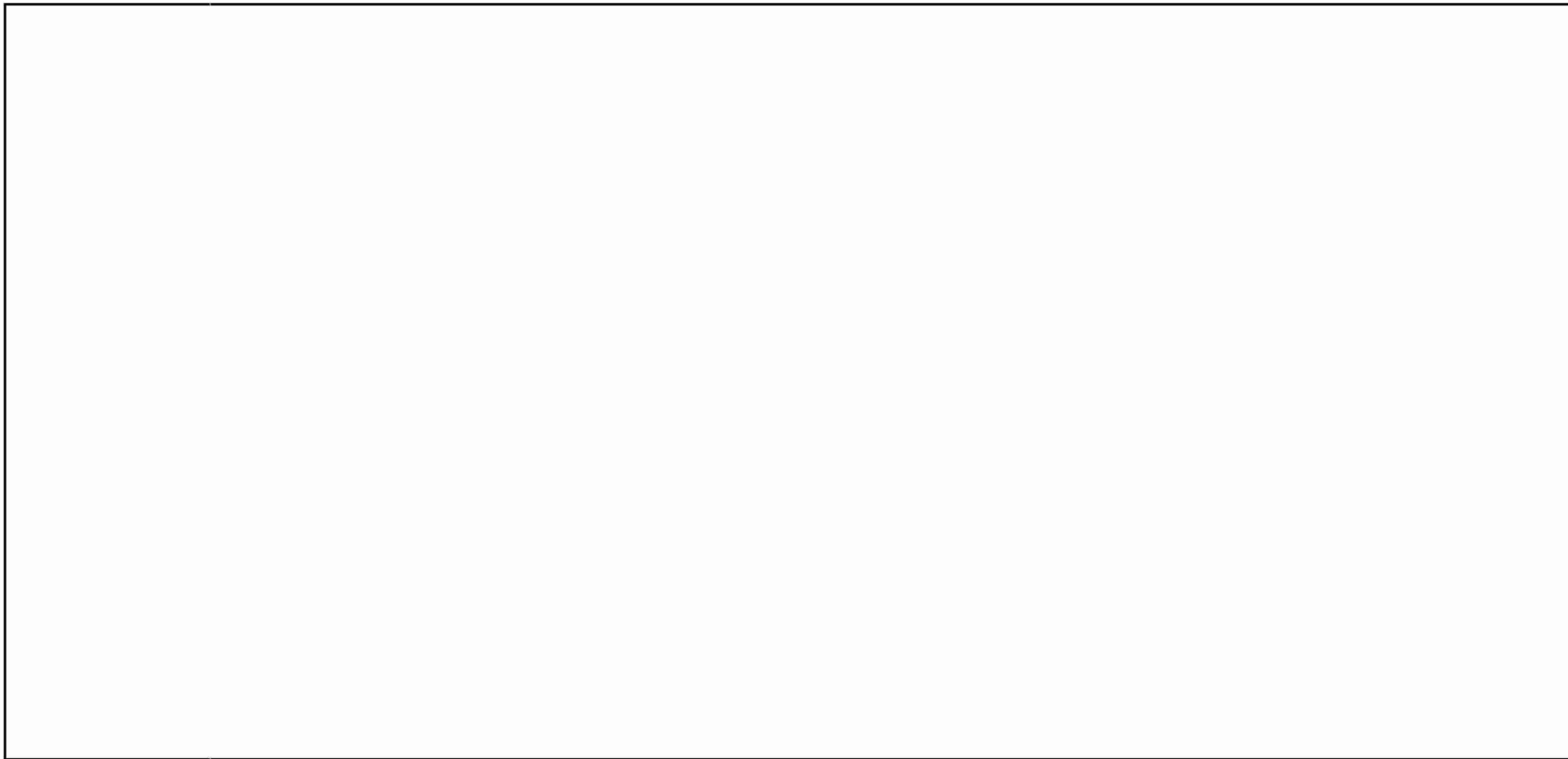
Unclassified // ~~For Official Use Only (FOUO)~~

USCIS05211

Operation



(b)(7)(e)



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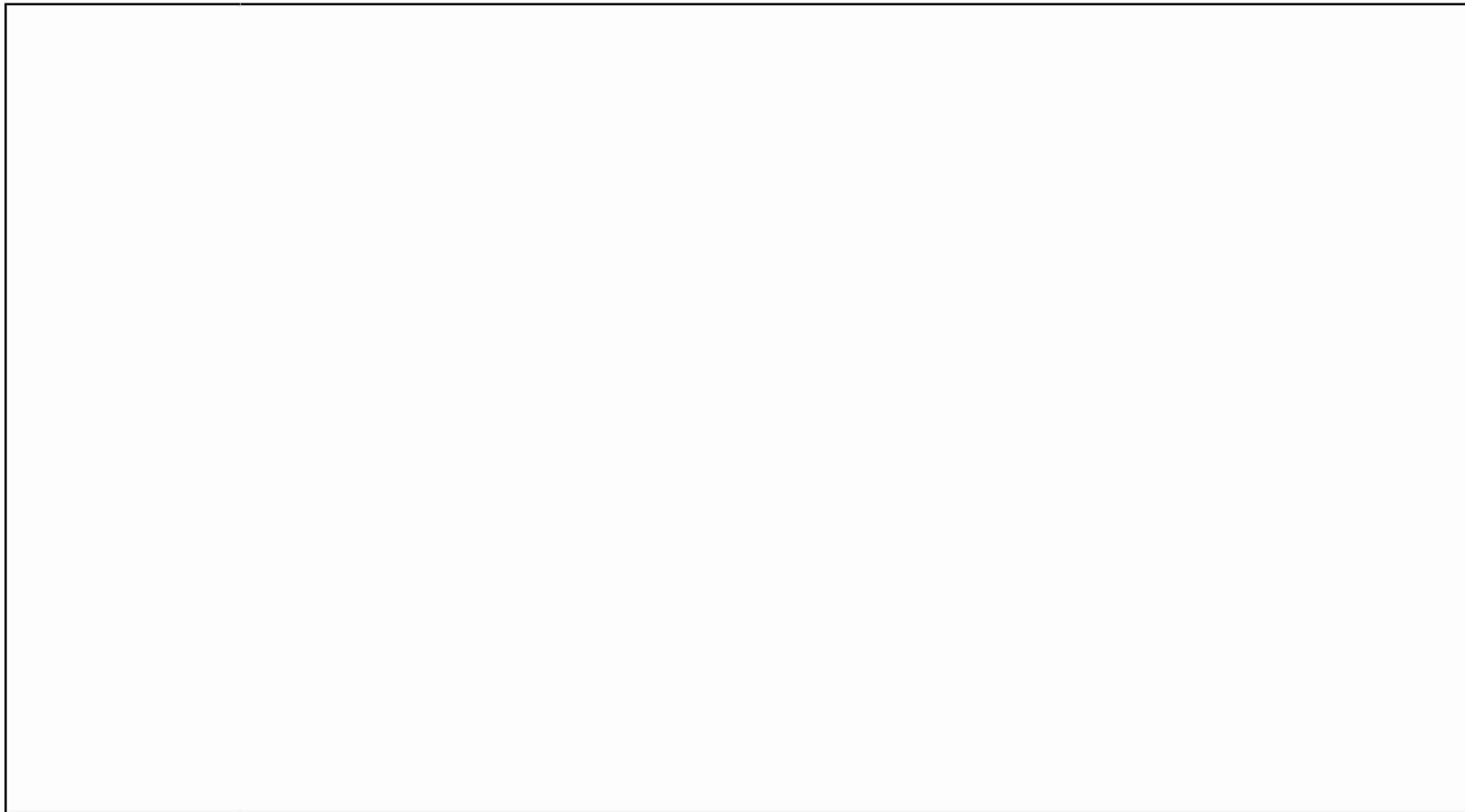
Unclassified // ~~For Official Use Only (FOUO)~~

USCIS05212

Operation



(b)(7)(e)



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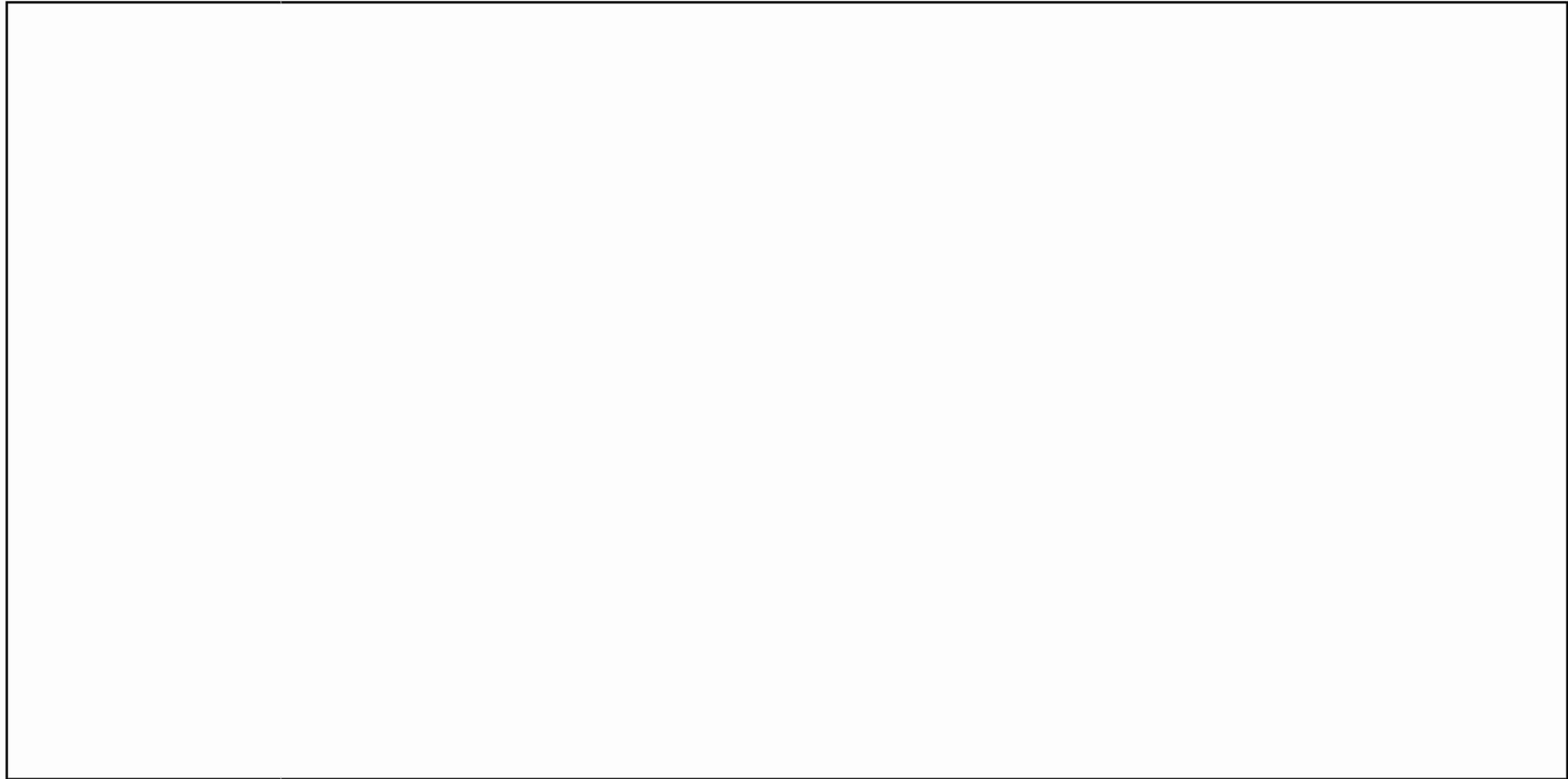
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USCIS05213

Operation



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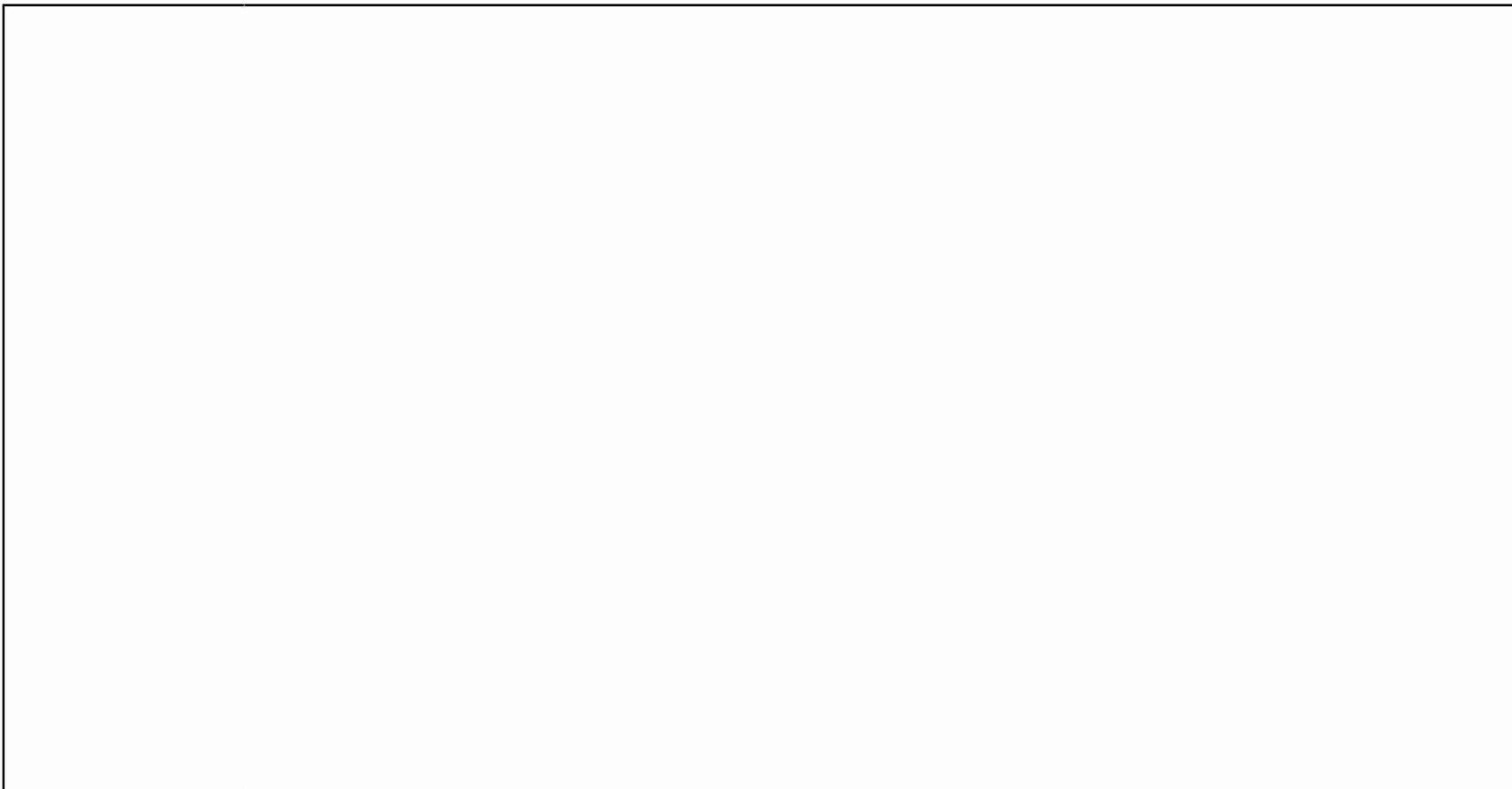
Unclassified // ~~For Official Use Only (FOUO)~~

USCIS05214

Operation



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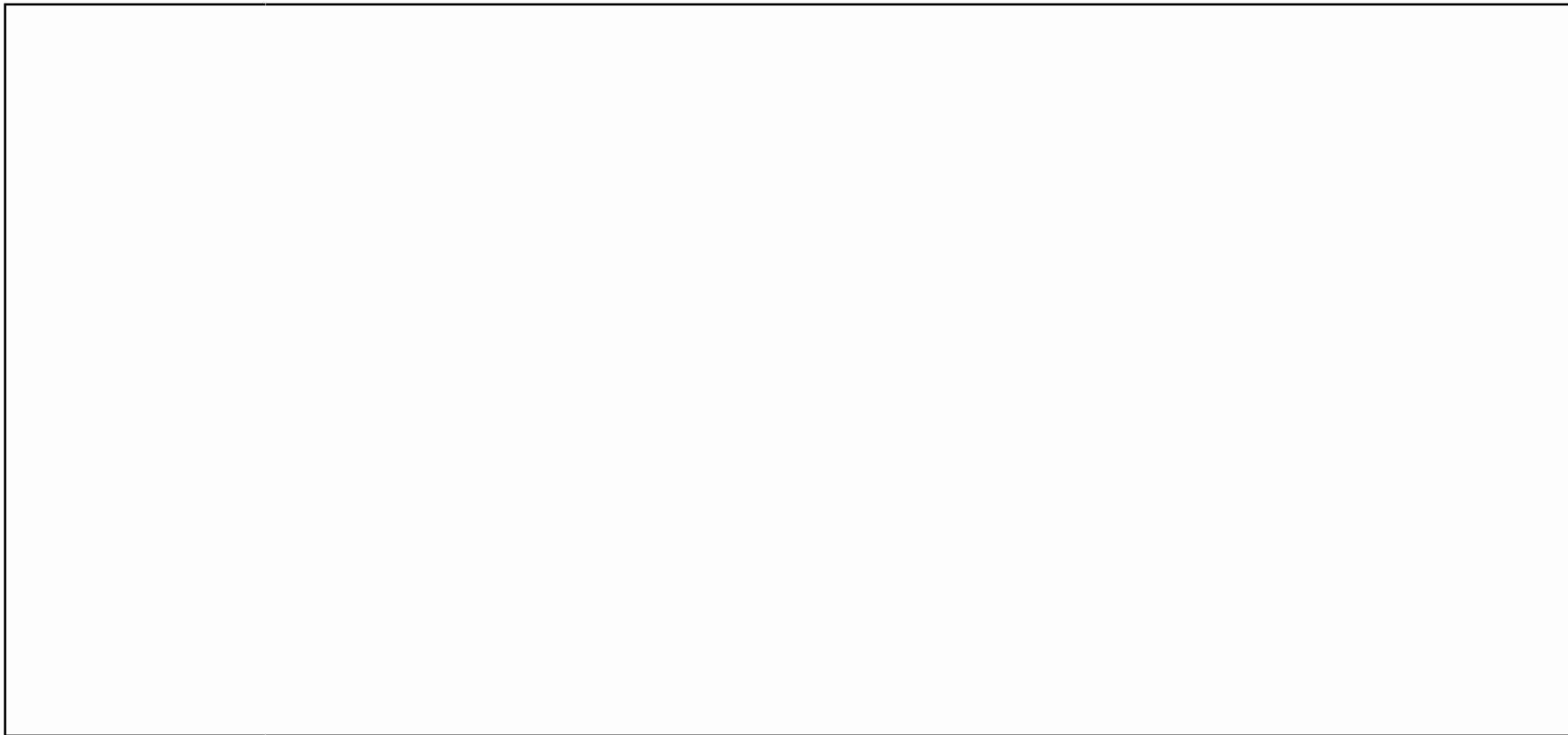
Unclassified // ~~For Official Use Only (FOUO)~~

USCIS05215

Operation



(b)(7)(e)



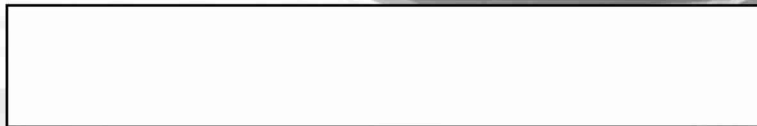
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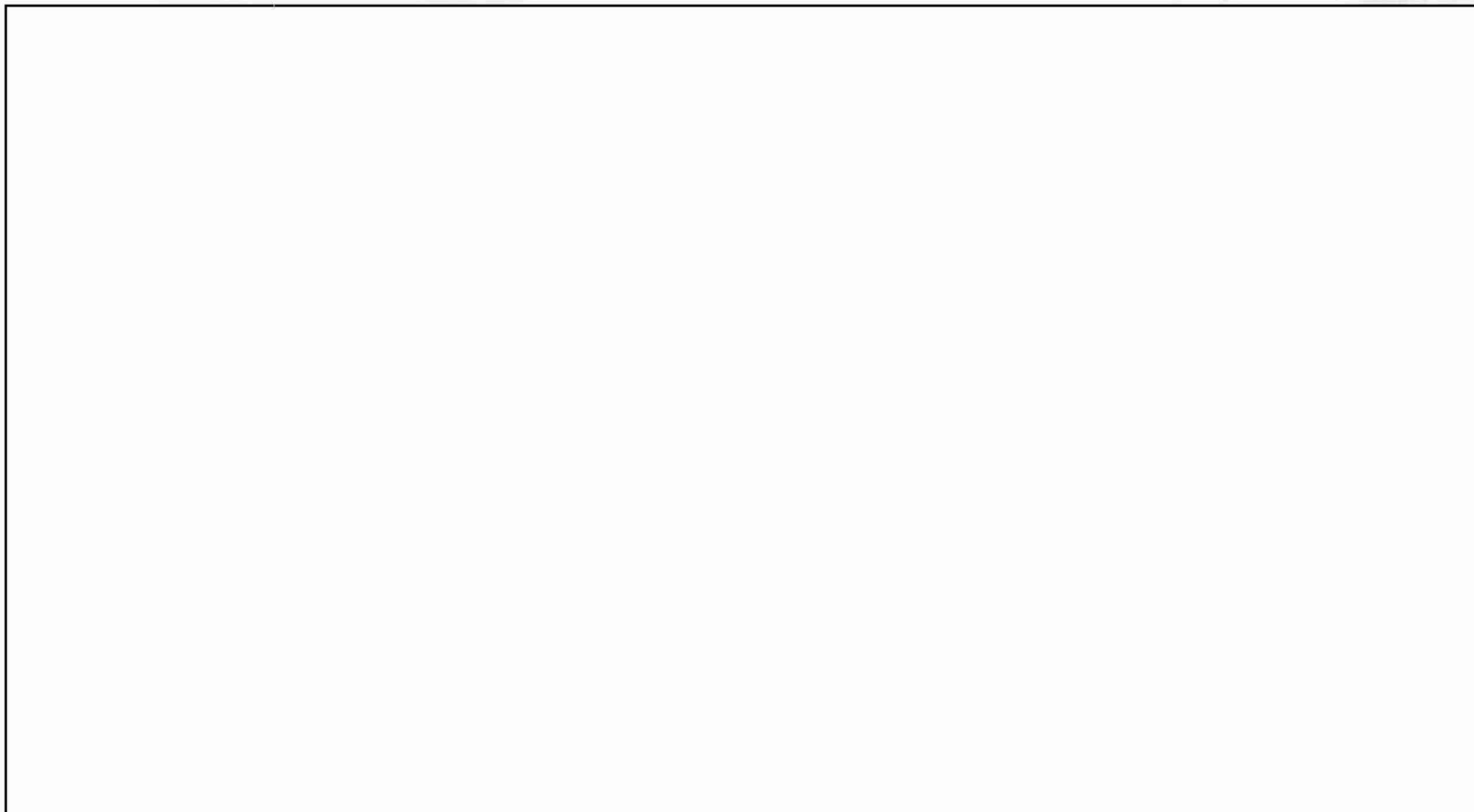
Unclassified // ~~For Official Use Only (FOUO)~~

USCIS05216

Operation



(b)(7)(e)



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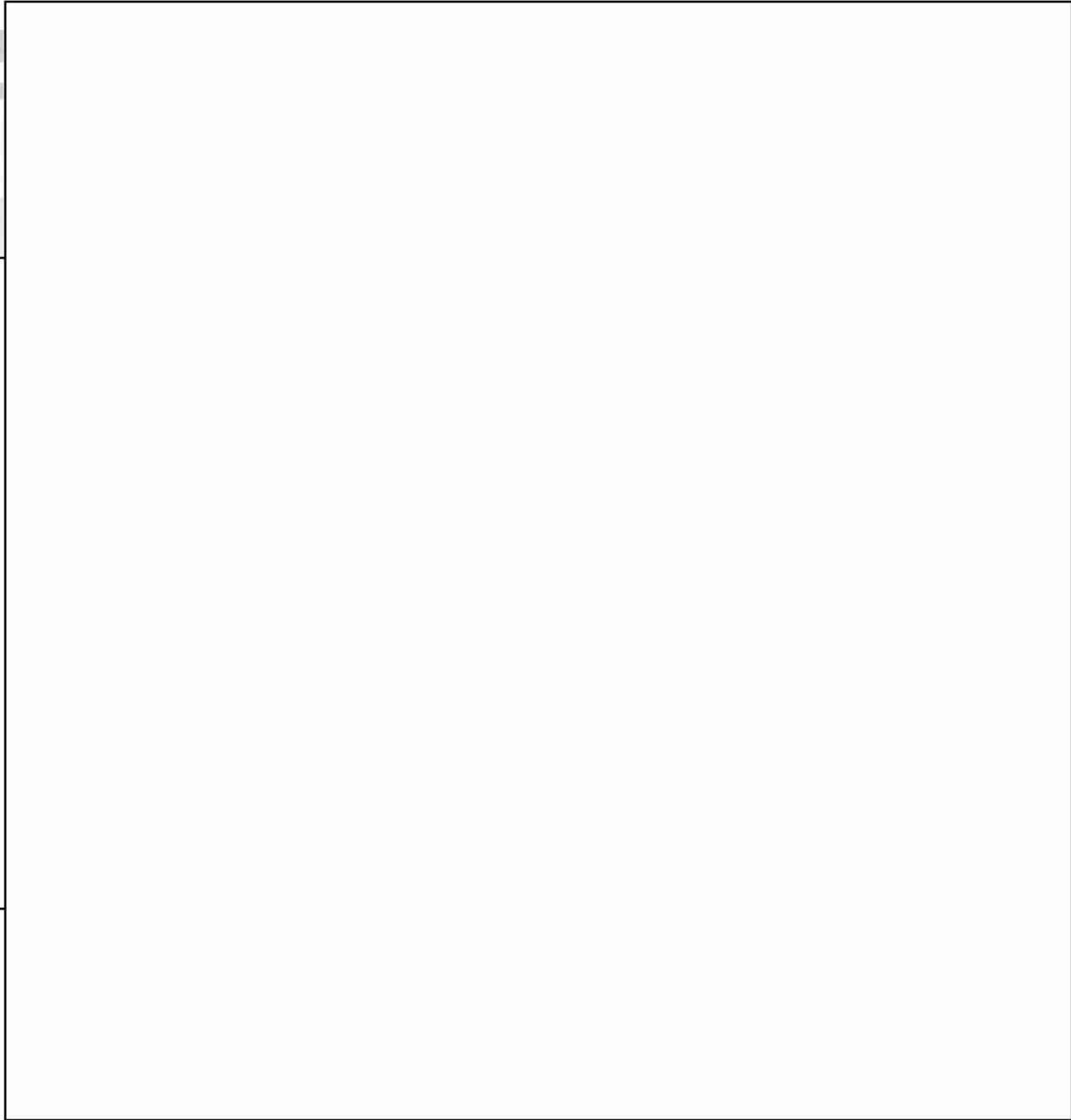
USCIS05217



Example Group 1

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(b)(7)(e)



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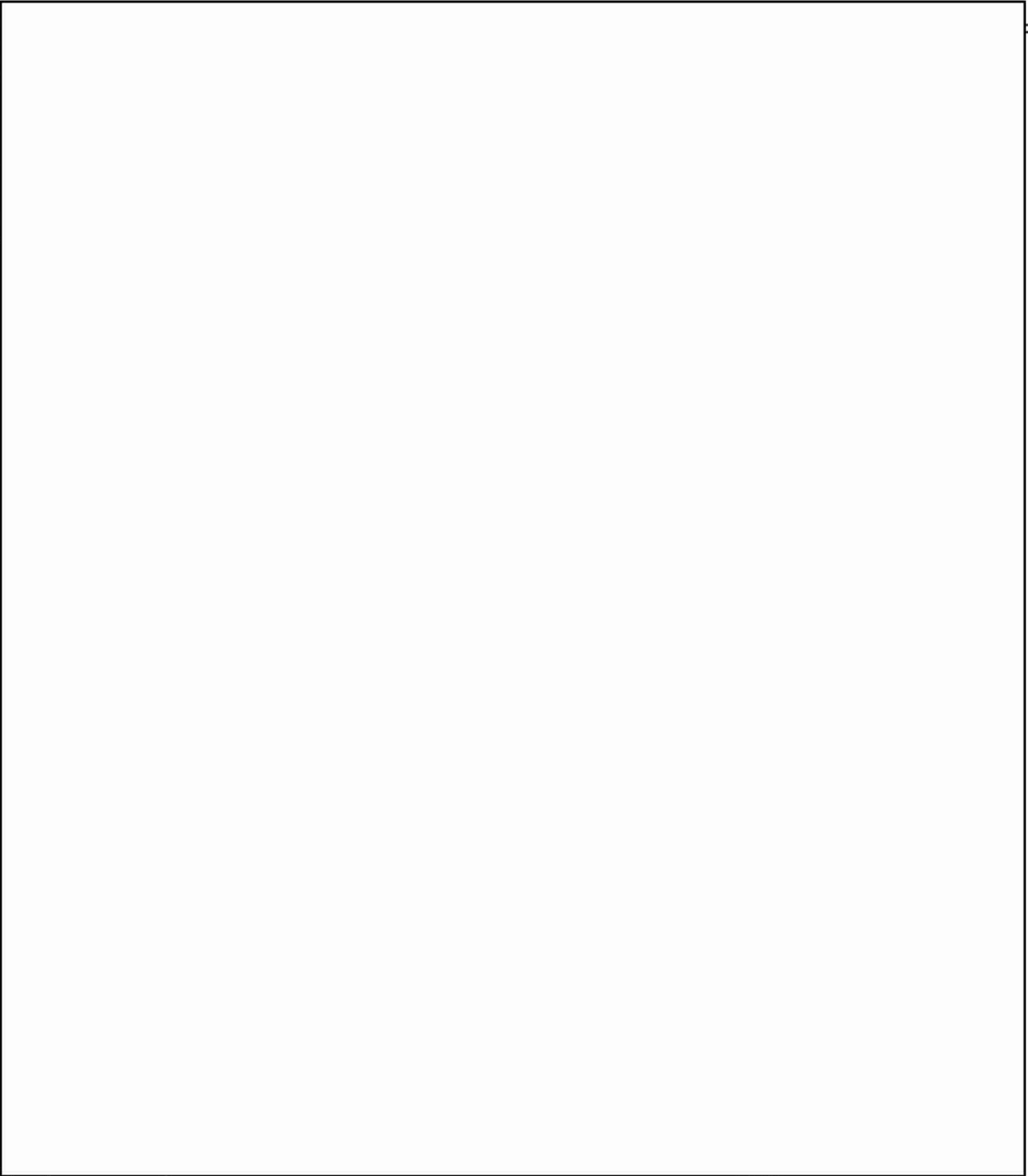
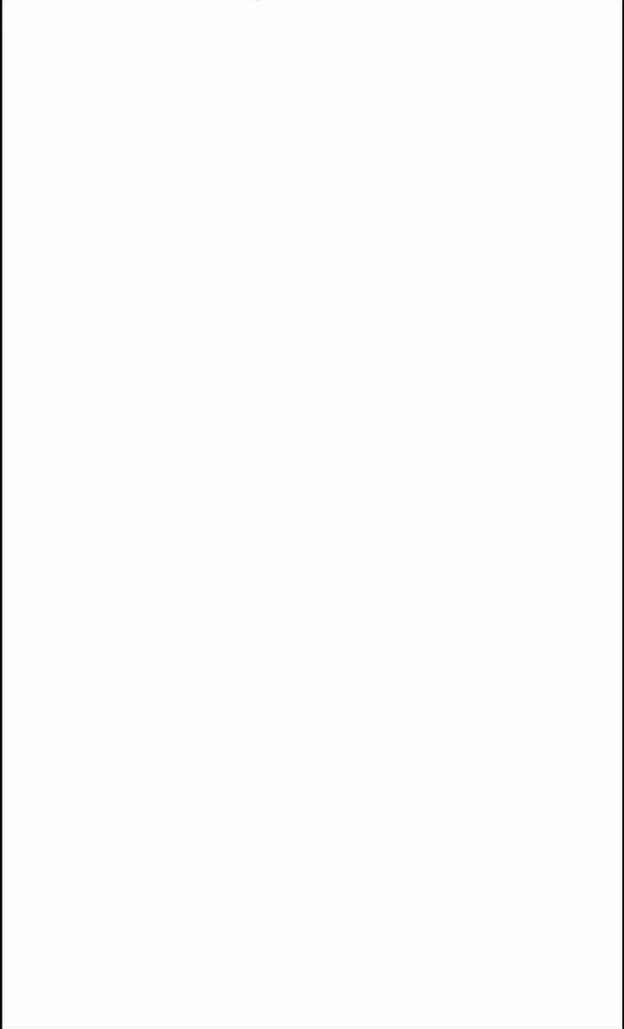
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USCIS05218



Example Group 1

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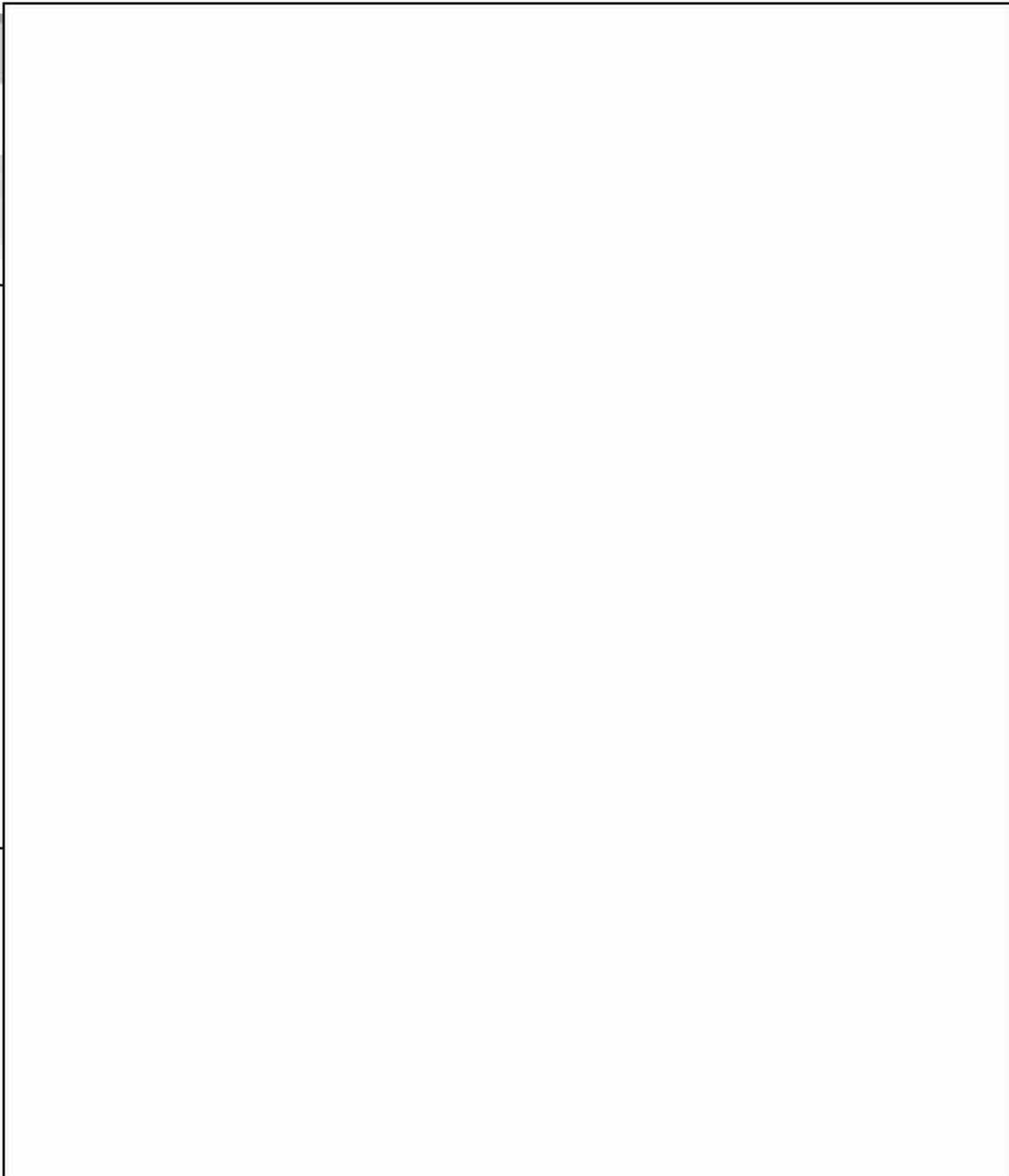
USCIS05219



Example Group 2

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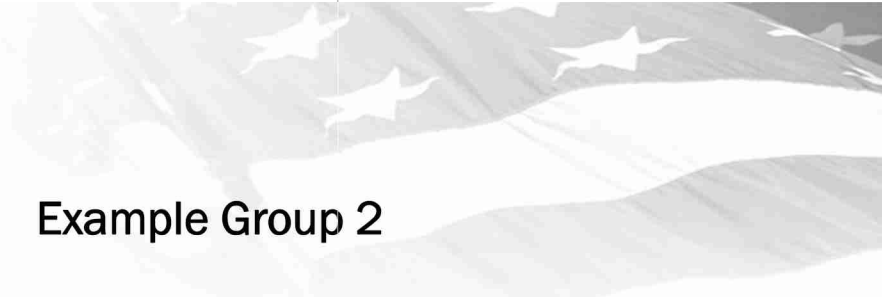


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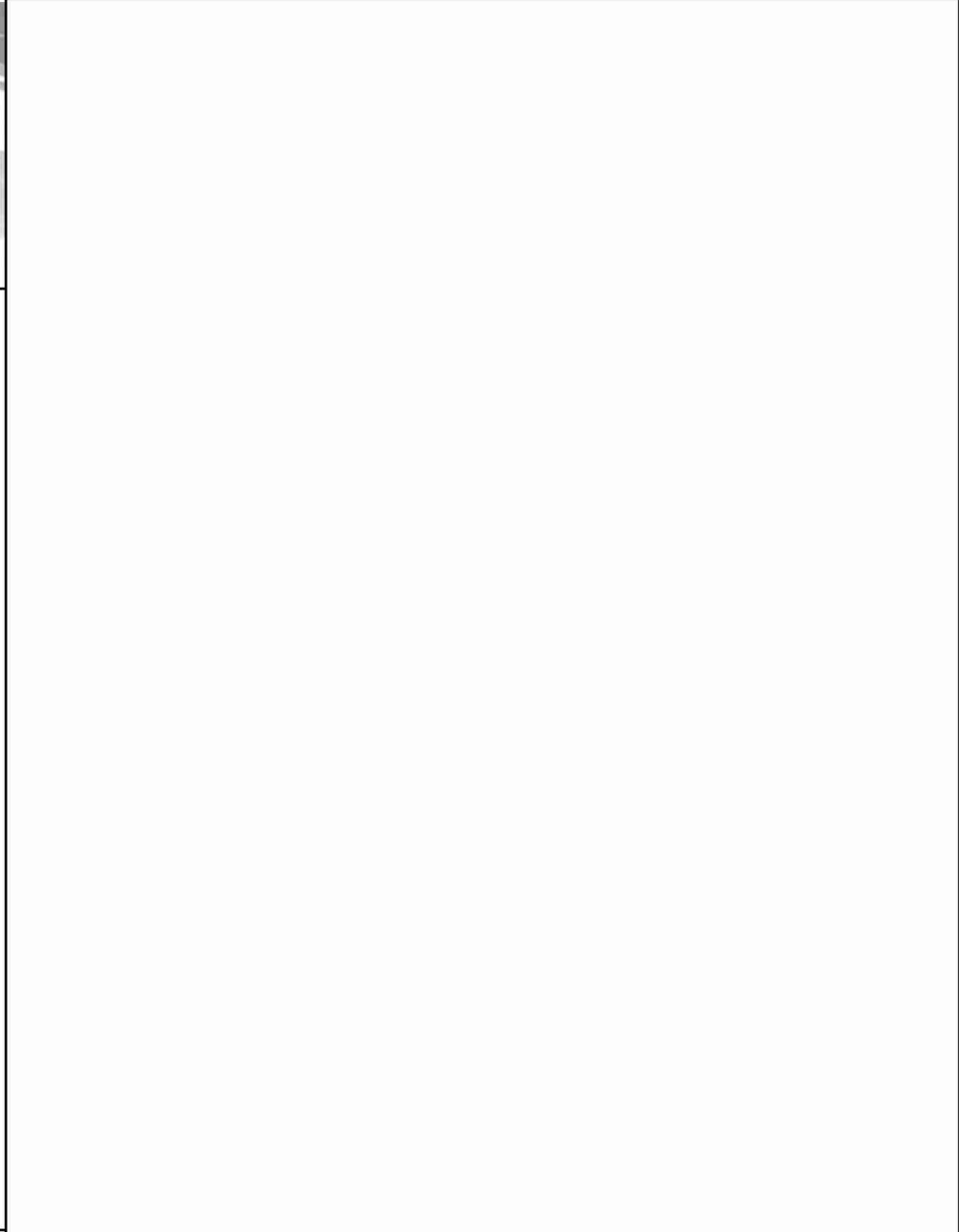
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USCIS05220



Example Group 2

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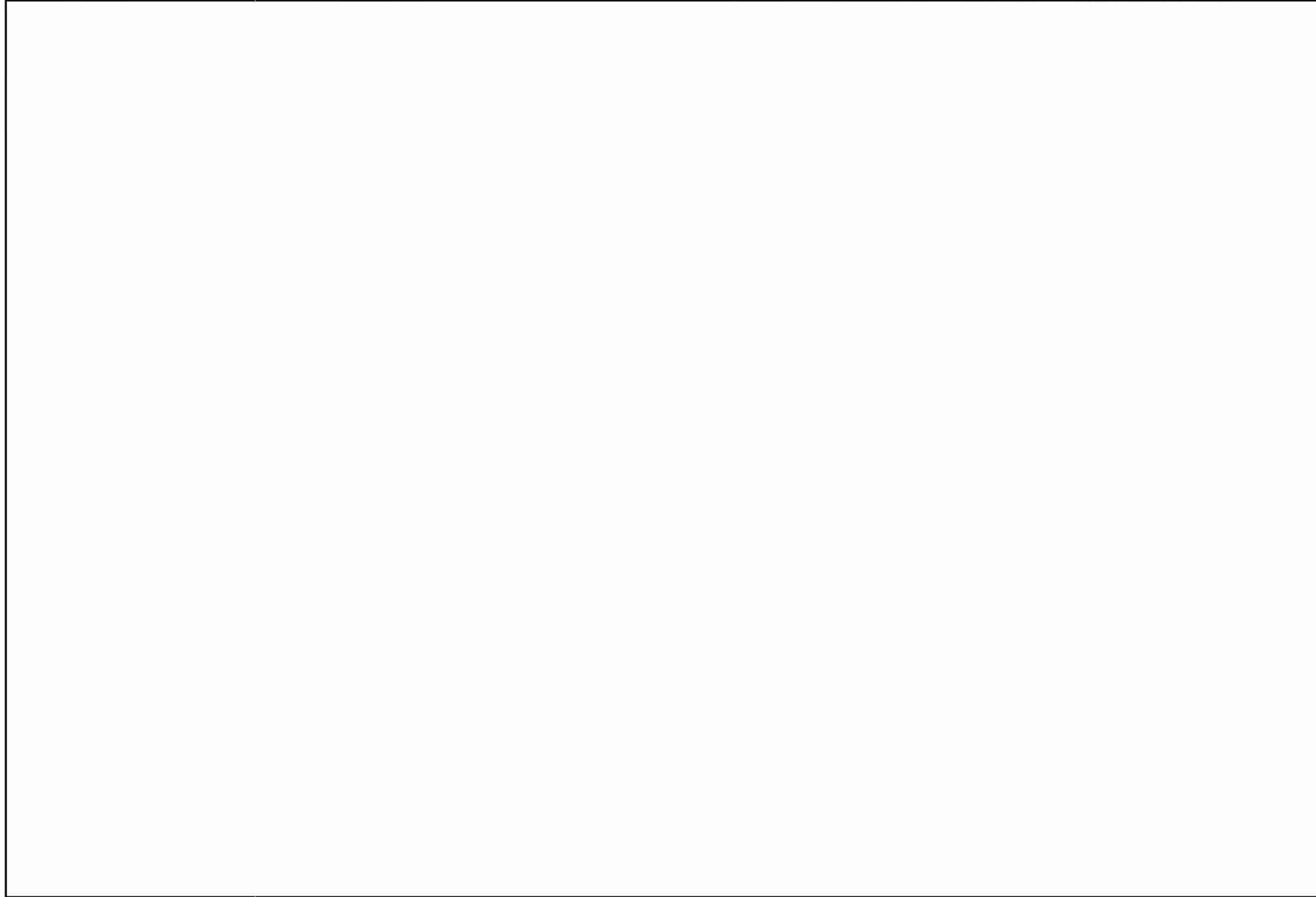
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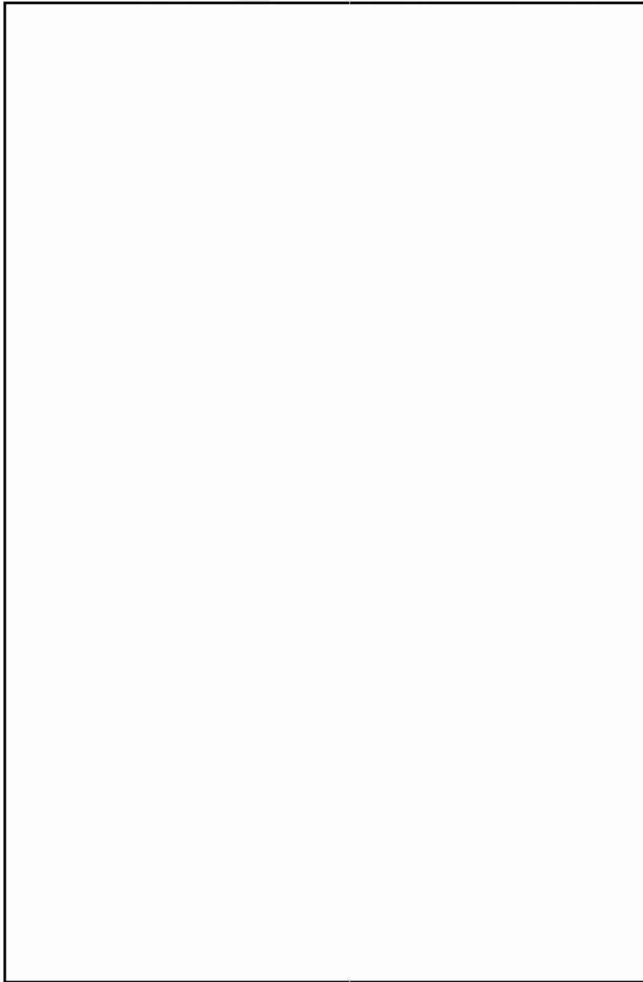
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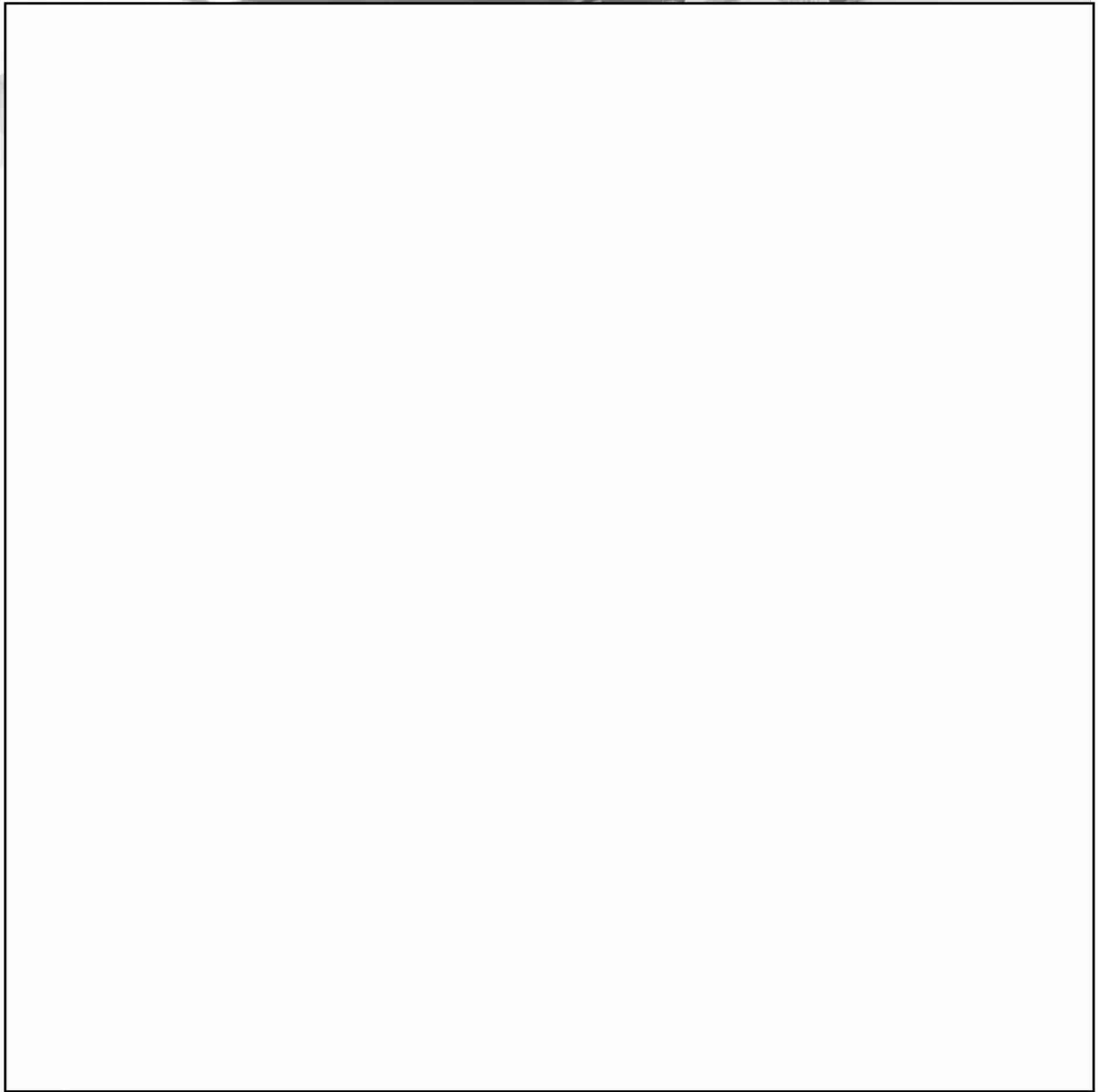
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Example Document



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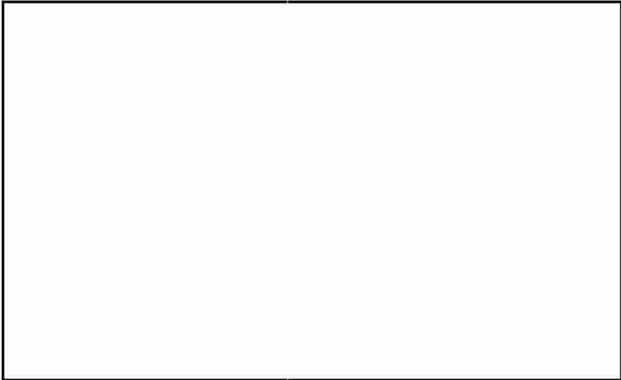
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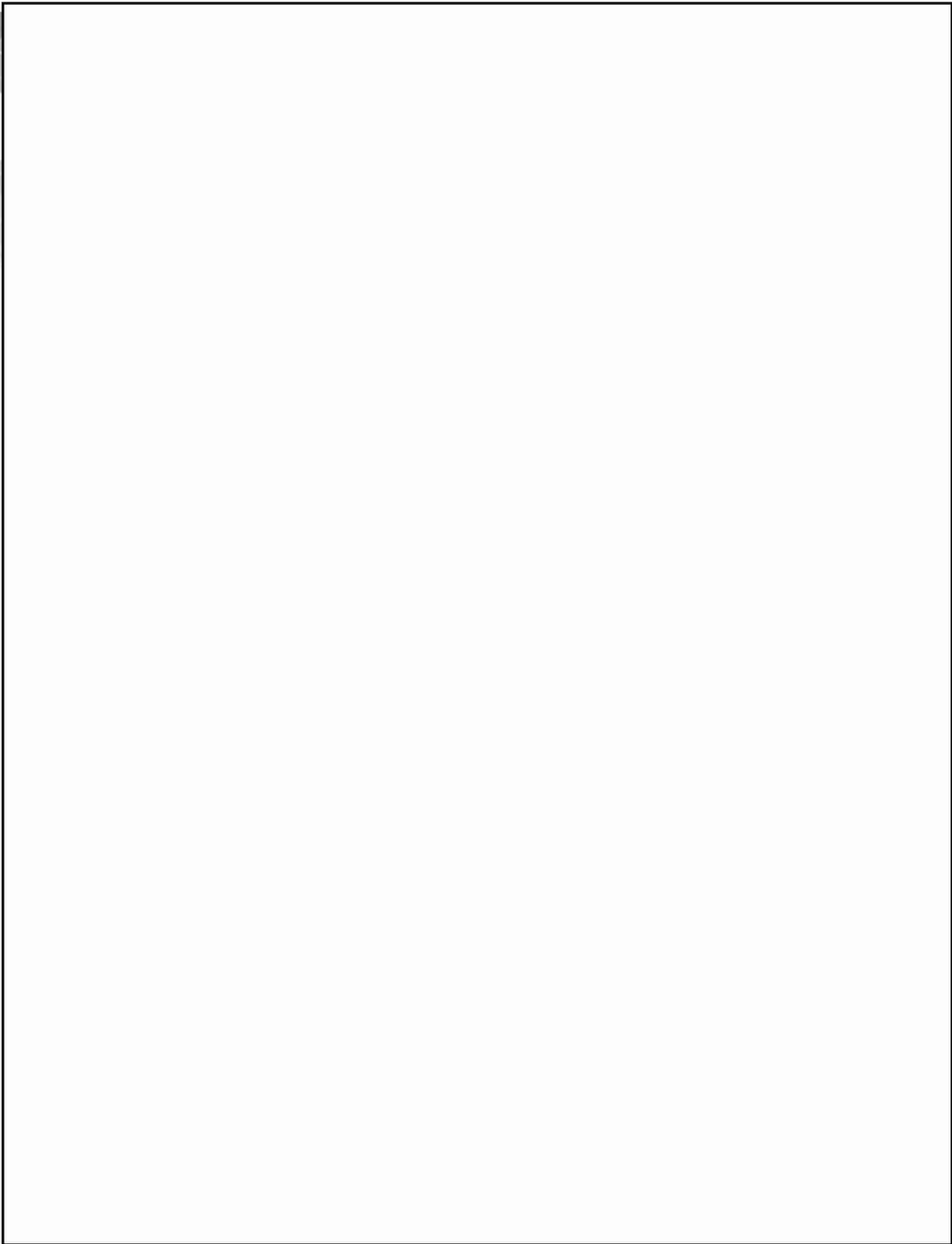
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Example Document



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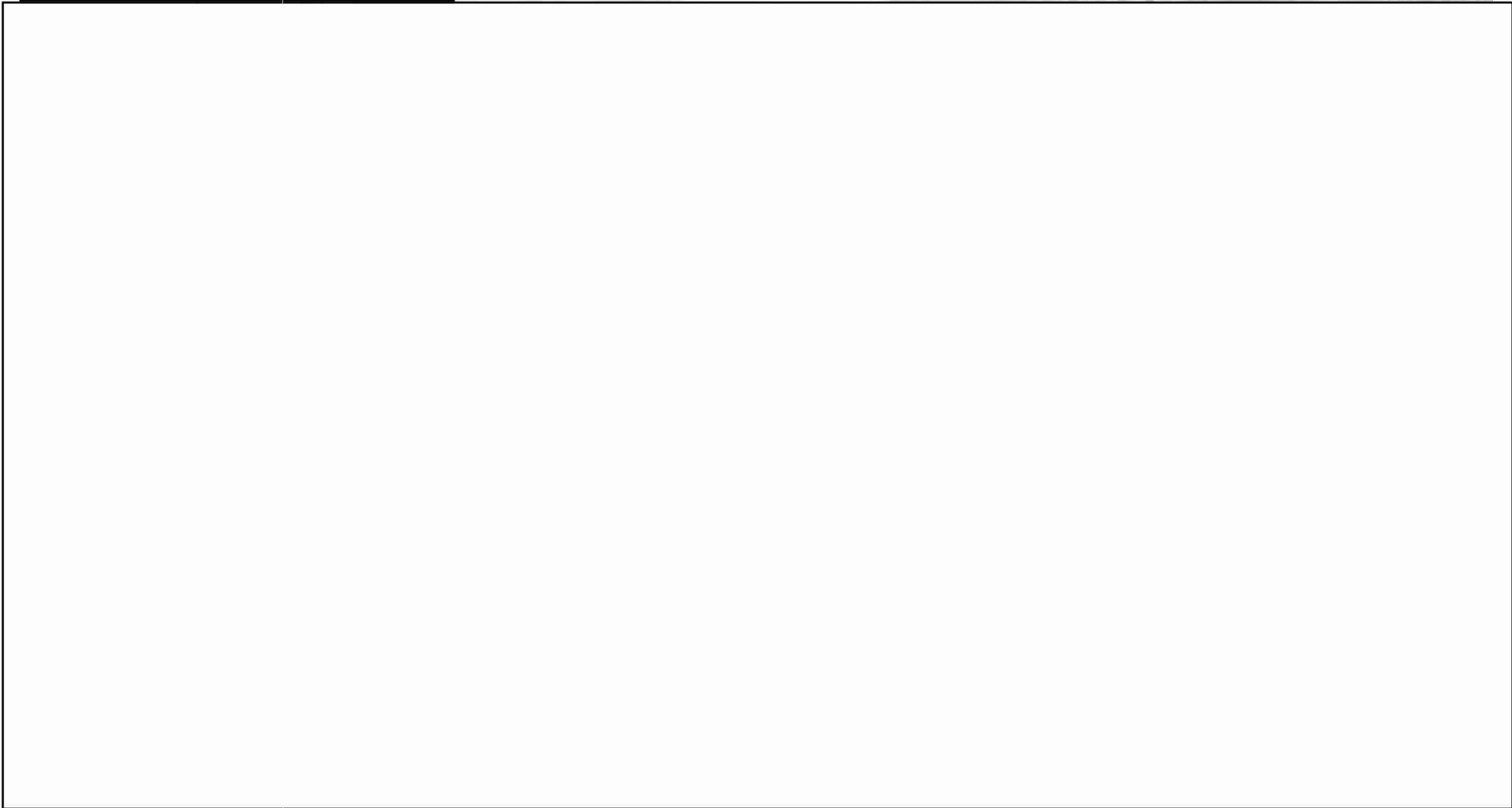
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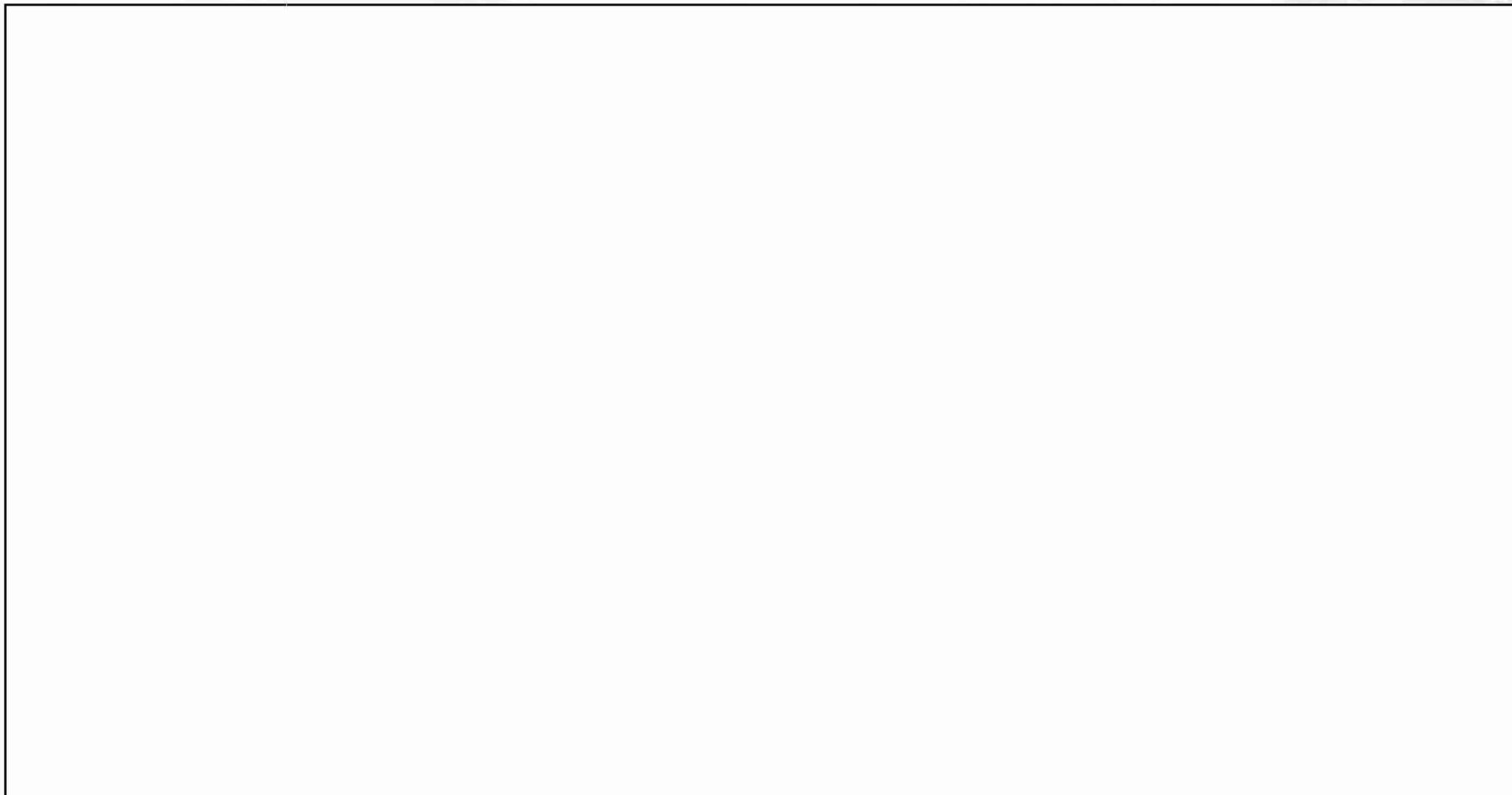
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Operation



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USCIS Fifth Production Part 1
422 of 877



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USCIS05227

Credibility Determinations

Noel Young, Training Officer

April 20, 2017

Is the applicant's testimony credible?

An applicant's testimony is credible if it is:

- Detailed
- Consistent
- Plausible

Legally Sufficient Credibility Determinations

In order to make a legally sufficient credibility determination, an Asylum Officer must employ the **five-part analytical framework** in both the interview *and* the assessment.

	Interview	Assessment
Step 1	(b)(7)(e)	
Step 2		
Step 3		
Step 4		
Step 5		

Legally Sufficient Credibility Determinations

Why do we use this five-step methodological approach?

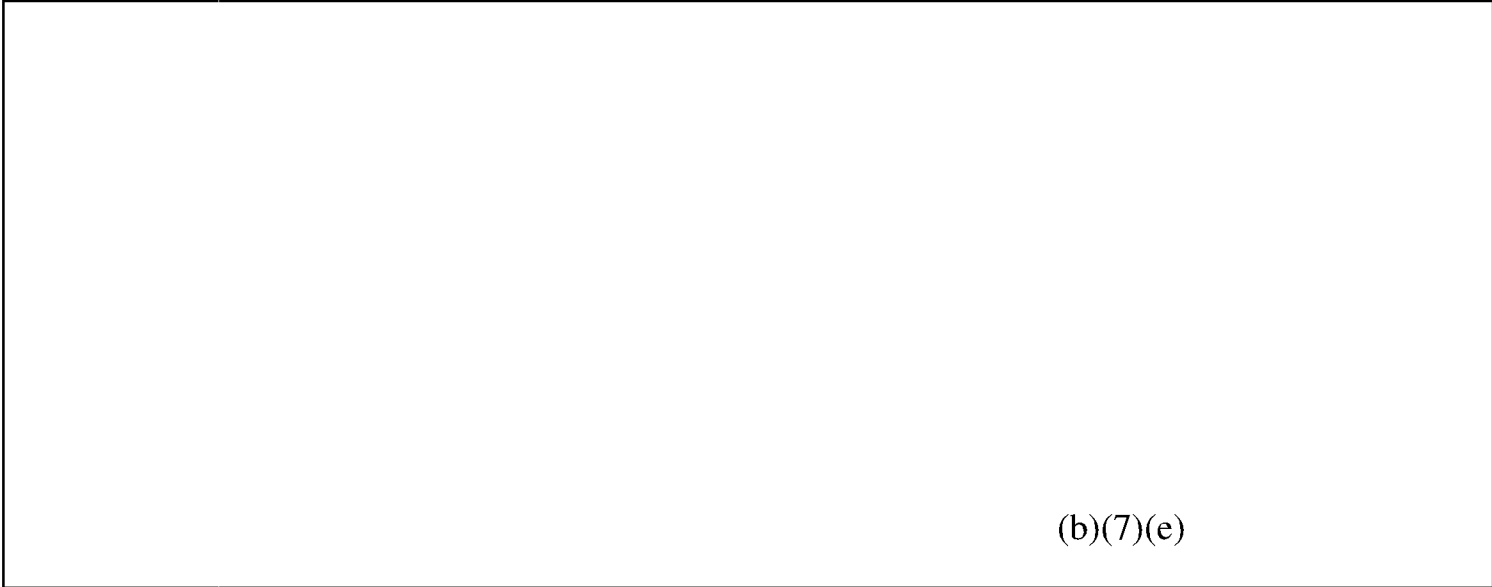
To minimize subjectivity

A credibility finding must be clearly articulated and based on objective facts. It cannot be based on an AO's:

- “Gut” feelings
- Intuition
- Own personal experiences

Assessing Credibility in the Interview

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Assessing Credibility in the Interview

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Assessing Credibility in the Interview

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Assessing Credibility in the Interview

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Assessing Credibility in the Interview

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Assessing Credibility in the Interview

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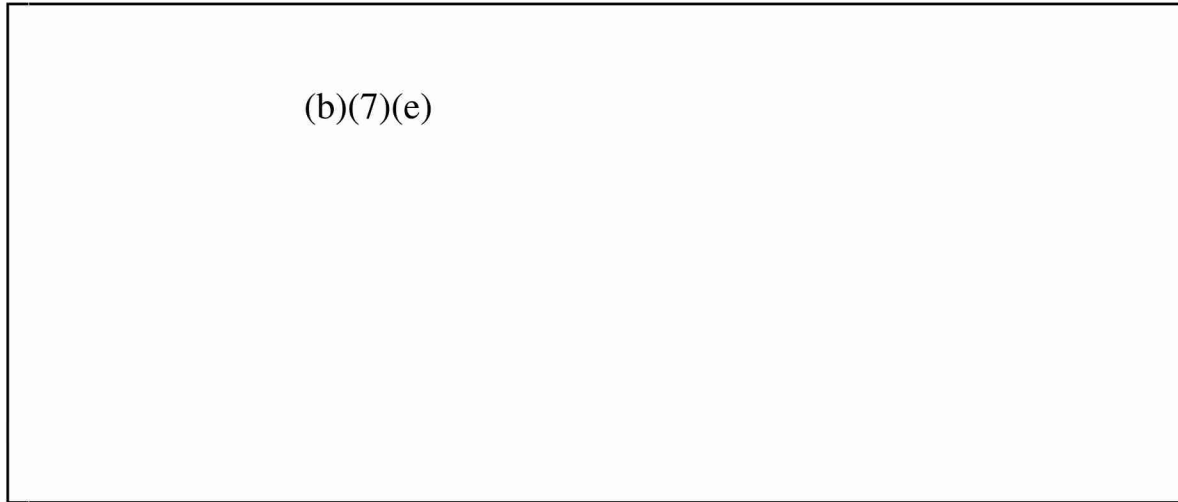
Assessing Credibility in the Interview

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Assessing Credibility in the Interview

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Examples: Assessing Credibility in the Interview



Examples: Assessing Credibility in the Interview

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Examples: Assessing Credibility in the Interview

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Examples: Assessing Credibility in the Interview

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Examples: Assessing Credibility in the Interview

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