Psychological Issues and Techniques in Navigating the Asylum Process

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National Symposium:
Connecting Leaders, Impacting Communities & Sustaining Programs: Strengthening the National Torture Treatment Network
Primary Asylum Questions

- Are you the person you say you are?
- Do you come from the country you say you come from?
- Have you gone through the experiences you claim to have survived?
Approach to the Client in a Psychological Evaluation

**Goal** – To produce the most detailed, comprehensive, and insightful report possible.

**Approach** - Not just “touchy-feely,” “PC” stuff.

Focus on effective collaboration and communication
Multiple Goals

Legal and therapeutic benefits

“It doesn’t have to be therapy to be therapeutic.”

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Common Reactions to Torture and Refugee Trauma

Cognitive

Physical

Emotional

Behavioral
Types of Psychological Documentation

- One-time psychological evaluation
- Ongoing treatment

**Different forms of affidavit** (legal style or psychological summary)

Presenting problem; Means of referral; Brief history; Course in treatment; Describe how symptoms fit in with diagnoses; Clinical summation; DSM-V;
Structural Limitations

• Consistency not Causation
  – Cannot report past facts as such (reported events)
  – No pre-morbid contact with client
  – Possible v. Probable (No 100% certainty)

• Bounds of competence
  – Not country experts
  – Not political experts
  – Not cultural moralists
Evaluation Priorities and Techniques; Safety

- Of crucial importance for people who have lost their sense of safety and/or their sense of trust;

- Potential for re-traumatization
  - Many people have been tortured in the context of interrogation

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Safety (cont’d)

Create a climate where the client can open up, share, and trust;

Work against negative institutional transference

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Safety (cont’d)

- “Anticipatory guidance”
  Explain process and potential benefits
  Normalize fears and anxieties

- Reduce ambiguity – related to psychological torture techniques

- “Accompanier” model - stretching of traditional roles

- Therapeutic value of positive personal relationship
Evaluation Priorities and Techniques: Empowerment

• Of crucial importance for people who have been purposely and violently disempowered;

• Helps them to find their voice in an intimidating situation (it can mean life or death)

• May need reinforcement and elevation in the perceived power hierarchy

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Empowerment  (cont’d)

Context of mutual respect – it’s a cycle. Pt. is helping you to do the most thorough job possible on their behalf

Collaborative v. expert stance
Relationship between two human beings not “expert” and “victim”

Give sense of control and ownership

Do not add another cultural boundary (legal processes) in which they do not know the norms/behaviors

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Empowerment (cont’d)

Allow client to teach/share

Model that their thoughts/ideas have value

Some country knowledge is valuable, but you don’t have to be an “expert”

Language issues

Acknowledge multiple language skills; particularly for those who are struggling with English
Rapport building – Beyond being a key therapeutic/healing tool, this can also give clues to current functioning

Consider process as well as content (Where does client begin narrative? What is the focus? How is the story told?)

Look for consistencies/examples (i.e. finding the office; navigating the transit system; time management)
Session Nuts and Bolts

Free-Floating v. Specific Sequence of Questions

Some clients will need prompting and encouragement
  Normalize their resistance;
  Re-emphasize the need for detail; and
  Re-state the purpose and benefits

Some clients will be more forthcoming with the trauma history
  Try to follow the flow of the story and back up later for details
  Be prepared to re-direct if they digress too much or get caught up in too much detail

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Session Nuts and Bolts

Collaborative context – not punitive like they are doing something wrong; do not want to discourage sharing

Ex. - “In order to present the most effective report to the judge, I’m going to ask that we focus some more on…

Use for evidence regarding thought processes:
Avoidance of certain areas?

Multicultural Considerations –
Ostensibly objective reports based in large part on subjective data
Credibility is Paramount

- Respect bounds of competence
- Context is key
- Consider process as well as content
- Feedback from fellow expatriates (group encounters, etc.)
- Historical/Cultural knowledge
Detecting Malingering

- Exaggerating or “faking bad” for a specific secondary gain
- May cloud what was already a legitimate trauma history
- “Notarios”/ “Les conseils de la rue”
- Course in treatment - observational data are key
- Probability v possibility

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Walt Disney Co.
Comments about testifying

Focus on consistency, not causation
  Acknowledge limits of knowledge (no pre-morbid contact)
  Cannot expect to always eradicate ambiguity
  Limits of competence (possible v probable)

Be careful of being drawn into adversarial relationship
  More effective when seen as professional/expert, not advocate
  Be prepared to defend credentials
Insights from Former Applicants

Wide range of presenting styles/reaction

“Getting to express myself”

“My heart holds more than I can say

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Insights from Former Applicants

Setting a humane context is the key

“Humanity is the only thing we have in common”

“Treat me like I’m a human being who has no country, no home, and I’m asking if I can stay with you.”

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