

I11 An Increasing Demand for the Psychological Evaluation of Asylum Seekers

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Learning Overview: After attending this presentation, attendees will learn: (1) the definition of “asylum” and the routes to obtaining asylum; (2) the details of the psychological evaluation of asylum seekers, including screening for symptoms, writing affidavits, and collaborating with legal organizations; and (3) the role that forensic psychiatrists can play in this process.

Impact on the Forensic Science Community: This presentation will impact the forensic science community by teaching attendees about the psychological assessment of trauma and mood symptoms in asylum seekers and about the current laws related to asylum.

There were more than 70 million forcibly displaced people (those who leave their home countries fleeing war or other conflict) worldwide at the end of 2018.¹ This number has risen steadily over the past ten years, driven upward by conflicts in Syria, other parts of the Middle East, and Sub-Saharan Africa. Some displaced people seek asylum in the country to which they immigrate, often when faced with deportation. Asylum refers to protection given to people who fear persecution in their home country due to their race, religion, nationality, political opinions, or membership in a particular social group.²

Most asylum applicants in the United States emigrate from China and Central and South America. The United States granted just over 26,000 asylum applications in 2017, according to the most recent data available. Those who are denied may face deportation.³ As immigration has become a central factor in the polarized political climate of the United States, asylum regulations are rapidly shifting and are now an area of intense media scrutiny.⁴

In order to obtain asylum, applicants must demonstrate that they fear death or persecution and that this fear is “credible.” To demonstrate that their fears are well-founded, many asylum seekers will undergo psychological evaluations by psychiatrists, physicians of other specialties, or other mental health clinicians.² These professionals may write affidavits concerning the facts and psychological evidence related to persecution suffered by the asylum seeker. These affidavits can substantially affect the likelihood that an asylum application is granted.

Given the rising number of displaced people worldwide, as well as recent media attention given to asylum-seekers and other immigrants to the United States, professionals of multiple medical and mental health specialties may take interest in performing psychological evaluations and writing affidavits. It is important that this work be performed in a thorough, sensitive, and culturally informed manner. Although many asylum-seekers have experienced deeply traumatic events, their psychological responses to these experiences may be different than that traditionally seen in the United States.⁵⁻⁷ Forensically trained psychiatrists can play a special role in performing evaluations, training others to do so, and raising awareness of the role of mental health clinicians in the asylum process.

This presentation will provide an introduction to conducting an asylum interview and will outline the key components that asylum evaluators should elicit during their examination. Those who attend will gain information about developing an asylum affidavit, and about the role that forensically trained psychiatrists can play in the asylum process during this global refugee crisis. In addition, attendees will gain a broader understanding of assessing trauma and mood symptoms in other patient populations.

Reference(s):

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4. Sidhu S., Boodoo R. U.S. Case Law and Legal Precedent Affirming the Due Process Rights of Immigrants Fleeing Persecution. *Journal of American Academy of Psychiatry and the Law* 45, no. 3 (2017):365-73.
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7. Ibrahim Y., Singer E., Baronia R., McMahon T., Nelson J., Katz C. Forensic psychiatry evaluation in a U.S. immigration detention center in southwest Texas. *Journal of Forensic and Legal Medicine* 66 (2019):113-116.

Asylum, Trauma, Immigration