

PRESENTED BY: U.S. DEPARTMENT OF JUSTICE OFFICE ON VIOLENCE AGAINST WOMEN IN PARTNERSHIP WITH THE NATIONAL IMMIGRANT WOMEN'S ADVOCACY PROJECT (NIWAP), THE CALIFORNIA COALITION AGAINST SEXUAL ASSAULT (CALCASA) AND LEGAL MOMENTUM,

Webinar

TRAUMA-INFORMED CARE: PROMOTING HEALING WHILE STRENGTHENING SURVIVORS' IMMIGRATION CASE

We will start soon



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1

Please Note

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2

How to Use this Technology



- Raise hand
- Text chat
- PowerPoint slides
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Resources and Webinar Materials

- www.niwap.org/go/trauma-materials
- PowerPoint
- VAWA, T and U visa
 - Screening tools
 - Benefits/Health & Mental Health Care Tools
- Trauma Informed Screening Supplement Version I
- Trauma Informed Instructions for Developing a Survivor's Story
- www.niwaplibrary.wcl.american.edu

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Let's see who is on the call with us. Please check the box that best describes you:

Answer
on the left

Feedback

A

B

C

D

No Answer

- A. Lawyer
- B. Domestic violence or Sexual Assault victim advocate
- C. Mental Health/Health Professional
- D. Other, please write your description in the chat box

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Learning Objectives:

To better understand how to

- Develop **collaborative relationship** to build trust with immigrant survivors;
- Develop a **survivor's story** for VAWA, U or T visa immigration applications using a trauma informed approach;
- Engage in **self-care** when developing a survivor's story for VAWA, U or T visa immigration applications.

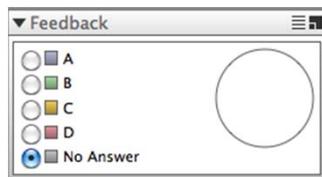
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7

Have you had any experience developing a VAWA Self-Petition, U visa, or T visa affidavit or declaration?

Answer
on the left

Feedback

A

B

C

D

No Answer

- A. No experience
- B. VAWA self-petition only
- C. U visa only
- D. Experience in VAWA, U visa, or T visa story development

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Collaborative Relationship: Build a Supportive Connection

- Human Connection
 - Establish empathic and warm connection
 - Attunement to client “where she/he is,” - nonverbal, body cues
- Attention to Safety and Ongoing Risk
- Building Relationship
 - Non-judgment and validation of the client’s expertise and life experience – including cultural, social, political context
 - Honor your own expertise and experience
 - Acknowledge areas of not knowing
- Clear, but not Rigid, Boundaries
 - Confidentiality of client information not only within your relationship, but explain VAWA confidentiality protection for immigration applications

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What is

- Trauma
- Trauma-Informed Care

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Building Trust

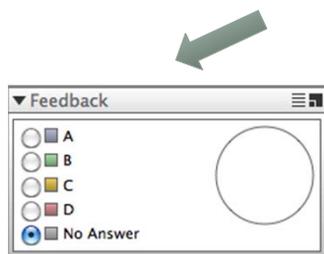
- Take a trauma-informed approach sensitive to the victim's trauma history
- Non-judgmental attitude
- Remind survivors of confidentiality, not only within your relationship
- Explain VAWA Confidentiality protection for immigration applications
- Be mindful of non verbal cues
- Cultural sensitivity

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IS THERE ANOTHER PROFESSIONAL (E.G. ADVOCATE, THERAPIST) WHO HELPS SURVIVORS DEVELOP THEIR STORIES FOR THEIR IMMIGRATION CASES? IF ANOTHER PERSON, TELL US WHO IN THE CHAT BOX:



Feedback

A

B

C

D

No Answer

- A. We do this ourselves
- B. An advocate
- C. A therapist
- D. Another person

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Identification of Traumatic Experience

- Principles
 - Know why you are interested in identification of trauma: What will you do with the information?
 - Knowing the details of (some) of the traumatic experience(s) may not be necessary
 - Recognize that many people may not have previously disclosed traumatic experiences to anyone
 - Disclosing trauma can trigger emotions, memories of the historical trauma and traumatic reactions
 - Know how to manage emotional dysregulation

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What strategies have you used that have been the most successful?



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Writing Intervention

- **Writing intervention**
 - *Process* by which advocate helps victim writes her/his story –trauma history
 - *Why* writing (or telling) interventions can help victims heal from trauma

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A Survivor's "Story"

- Most important pieces of evidence submitted
- Opportunity for DHS to hear directly from the survivor, in her Voice
- The adjudicator should be able to understand and feel what survivor felt after being subjected to abuse or crime victimization
- Less of a formal affidavit, but rather "stories" of the survivor's experience

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Survivor's Story: What is Required?

- The story should include all the statutory criteria for the remedy you are seeking:

	VAWA Self-Petition	U/T Visa
1. Marital or familial relationship development	X	
2. Crime and 3. Helpfulness or cooperation with law enforcement		X
4. Substantial harm of abuse endured/ extreme cruelty and lasting effects	X	X

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Preparing for Story Collection

- Do your homework
 - Read police reports, protection order, pleadings in custody cases,
 - Review medical records
 - Locate other available evidence
- Carefully describe to the client what the story collection session will entail
 - Make sure both you and the client have set aside the adequate time

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A Note About Interpreter & Translators

- Plan ahead for interpretation needs
- Survivor writing in her own language
- Train your interpreters and translators
 - Domestic violence and sexual assault training
 - Interpreter training
 - Trauma training
- Be Creative

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Getting Her Story on Paper

- Remember she is the expert of her experience
- Writing the story without assistance could lead to re-traumatization
- For the first draft, chronology, spelling and grammar are not important
- www.niwap.org/go/trauma-materials

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Immigration Story Writing Intervention Method – Part I

- Survivor writes her story
 - Role of advocate/attorney/counselor
 - Support, Witness, Listen
 - She can write or advocate can help transcribe
 - Goal: story comes out unedited/uninterrupted
- Flexibility needed
 - Some survivors will strongly prefer to do the writing alone

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Discussion

- How writing interventions can improve development of the victim's story for her VAWA, T or U visa application

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Immigration Story Writing Intervention Method – Part II

- Structured interview with survivor
 - Follow up questions: Assume that not all of story will come out in first telling (Part I)
 - Obtain more in-depth information
 - Screen for additional incidents/events
- Use screening tool
 - Available at www.niwap.org/go/trauma-materials



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Interview Goals

- Develop emotional safety plan for generating the story
- Invite the initial telling/writing of the story of *"What happened to me?"* and *"How did it change me?"* and *"How did law enforcement help?"*
- Elaborate the story
 - Standard tools for eliciting additional information
 - Reading and re-reading the story
 - Validate and support the emotional response



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Standardized Tools: Assessing *“What happened to me?”*

Multiple types of trauma exposure

- Structured Life Events Screening Questionnaire (SLESQ)

Domestic Violence

- Conflict Tactics Scale (CTS-2)
- Psychological Maltreatment of Women
- Coercive Control Scale (IPV Coercion Measure)
- Danger Assessment

Indigenous Trauma

- Additional traumatic effects based on oppression and discrimination

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Standardized tools: Assessing *“How did it change me?”* (Impact of battering or extreme cruelty)

- IPV (Intimate Partner Violence) Threat Appraisal and Fear Scale
- PTSD Checklist (PCL-C)
- Patient Health Questionnaire (PHQ-9; depression)

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Immigration Story Writing Intervention Method – Part II

- For “Yes” answers
- Obtain more narrative re: events/incidents
- Elicit details about effects on survivor
 - Threat appraisal
 - Fears
 - Functioning
 - Emotional health
 - Children

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Discussion

- What opportunities do structured interviews following story writing create for survivor's healing and strengthening her immigration case?

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Immigration Story Writing Intervention Method – Part III

- Integrate Survivors story with information from structured interview
- Create one narrative
- Chronological order
- Survivor and Advocate/Attorney
 - Review
 - Refine
 - Collaborate on this and all parts of the process

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Discussion

- How can Part III, reviewing the victim's story, be done in a trauma-informed way?

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Trauma Informed Story Writing Strengthens the VAWA Case

- **VAWA Self-Petitions/Battered Spouse Waivers/Cancellation**
 - Proof of extreme cruelty and/or battery
 - Details that improve the credibility of the story and the paper evidence presented
 - If abuse is credible it also provides evidence of valid marriage
 - **VAWA Support for:**
 - domestic violence victim waiver
 - good moral character
 - inadmissibility waivers for lawful permanent residency
 - extreme hardship

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Trauma-Informed Story Writing Strengthens the U Visa Case

- Criminal activity
 - Impact on victim
 - Details enhance credibility of story
- Proof of substantial harm
 - Physical injury effects
 - Sexual assault emotional impact
 - Trauma and emotional harm from criminal activity
- Builds case of inadmissibility waivers
- Helps prove that victim did not unreasonably refuse to cooperate

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Trauma Informed Story Writing Strengthens the T Visa Case

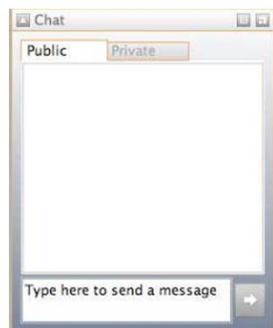
- Supports credibility that she was a victim of a severe form of human trafficking
- Provides proof that a person was enslaved, and whether they were "unable to leave"
- Useful in answering questions such as "what climate of fear that surrounded the person while in captivity?"
- Provides proof of extreme and unusual hardship upon removal
- Helps victim gain inadmissibility waivers/ good moral character
- Supports exceptions to cooperation requirements

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What challenges have you experienced when trying to document a survivor's story?



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Strengthening Your Ability to Support Survivors Through This Process

- Be aware of your own emotional reactions to the stories you are hearing
- Take breaks and care for yourself during the process
- So you can effectively be there for the survivor
- Self-regulation techniques you can use

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Helping Survivors in Crisis

- Techniques you can use to help survivors:
 - Self-regulation techniques you can use
 - Breathing techniques
 - Other techniques
 - Additional resources on crisis care:
www.niwap.org/go/trauma-materials

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Goal of Tools for Conducting Trauma Informed VAWA, U Visa or T Visa Applications

- To develop a coherent narrative of client's
 - abusive relationship or
 - crime victimization experiences;
- Include lifetime trauma exposure
 - How trauma history impacts the survivors reaction to the victimization that led to immigration application;
- The crime victimization trauma
 - forms the basis of her VAWA or U Visa declaration.

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Process of Trauma-Informed VAWA, U Visa or T Visa Story Collection

1. Recognize the client as whole human being and as a survivor
2. Support client's self-regulation
3. Understand client's behavior through a trauma lens
4. Titrate client's exposure to traumatic memories
5. Recognize the impact of exposing the trauma and its effects
6. Use techniques for grounding and soothing
7. Validate completing the process as success
8. Referral for trauma services in collaboration, as needed

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Tools for Self-Care

- Physical Activity
- Adequate Sleep and Rest
- Good Nutrition
- Nurturing Relationships
- Tending the Mind



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QUESTIONS

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Technical Assistance

- PowerPoint and materials from this training:
 - www.niwap.org/go/trauma-materials
- Technical Assistance for Law Enforcement by a Peer:
 - (202) 274-4457 or niwap@wcl.american.edu
- Web Library by NIWAP and Legal Momentum:
 - niwaplibrary.wcl.american.edu
 - Training materials
 - Screening tools for law enforcement

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National TA Providers



- National Immigrant Women's Advocacy Project
niwap@wcl.american.edu (202)274-4457
- Web Library NIWAP and Legal Momentum
 - niwaplibrary.wcl.american.edu
 - Training materials and tools for advocates
 - Multi-lingual materials for immigrant survivors
 - National online directory of programs with experience serving immigrant survivors
- ASISTA questions@asistahelp.org (515)244-2469
- National Immigration Project of the National Lawyer's Guild
www.nationalimmigrationproject.org (617)227-5495

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42

Thank you!

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43