

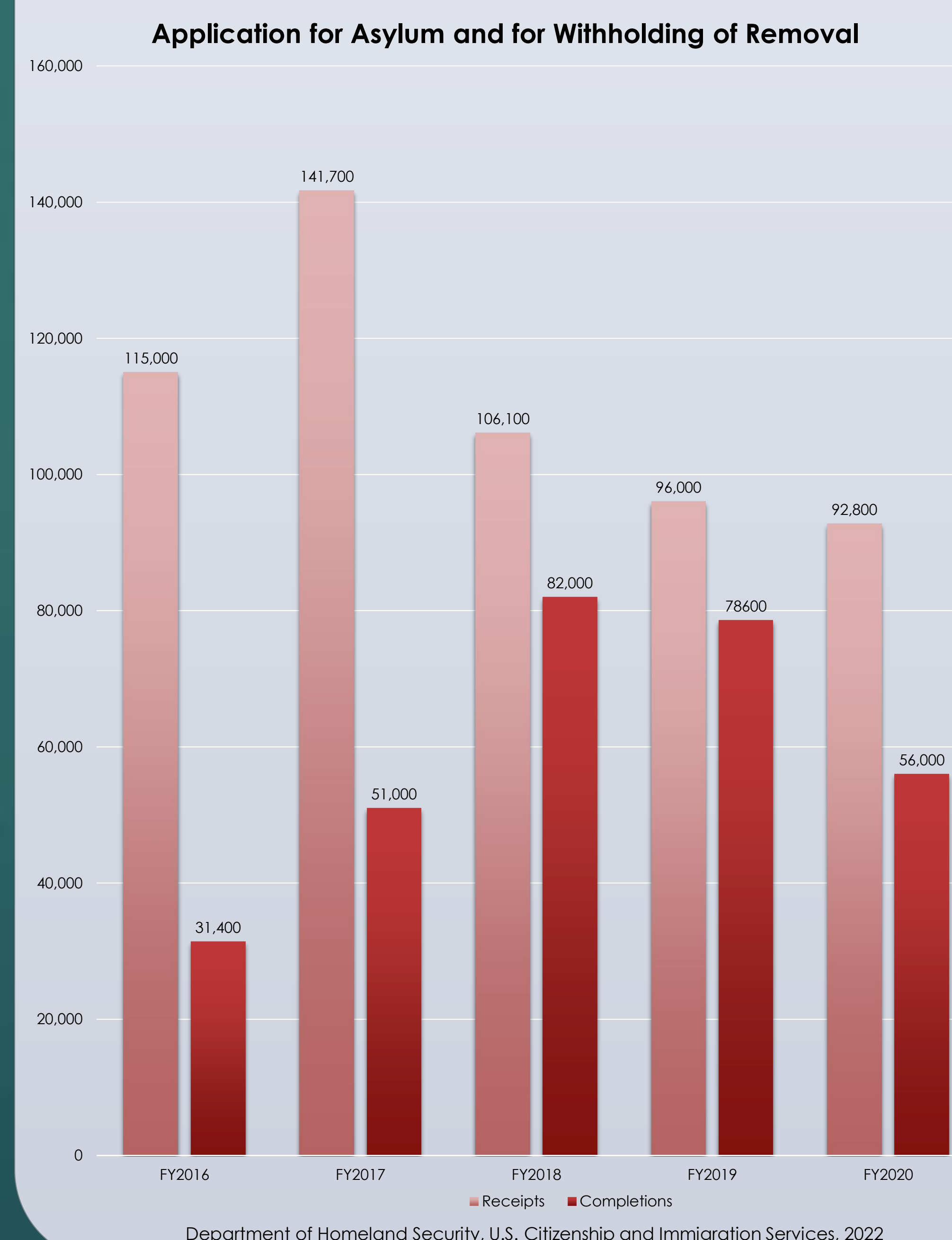
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SUMMARY

- ❖ When asylum seekers arrive in the United States, they are detained until they can be seen by an immigration official or a judge (Meiland, 2019).
- ❖ Then, the decision of that person's future livelihood rests on the discretion of one person's interpretation of the law and of the individual's story, often resulting in disparities.
- ❖ Research suggests that the disparities in the asylum-seeking system are based on individual interpretations and biases about the asylum seeker.
- ❖ Asylum criteria include harm meeting the severity for persecution, the individual has already experienced that level of harm, the individual experiences significant fear of continued persecution if returned to home country, and the persecution is because of race, religion, social status, or political affiliation (Meffert et al., 2010).
- ❖ Many judges look for testimonial inconsistencies as an indicator. However, research suggests that may not be an adequate determining factor.
- ❖ Standardized psychological evaluations of asylum seekers can provide judges with a qualified account of the individual's situation and thus reduce the disparities in the system.

FORENSIC IMPLICATIONS

- ❖ Filone and DeMatteo (2017) evaluated the cases of 30 people who sought asylum to determine the variations in testimonial discrepancies among genuine and exaggerated asylum claims.
- ❖ The results of this study found that genuine asylum seekers are likely to demonstrate a high level of inconsistencies in their stories.
- ❖ Most likely due to trauma, repeated interviews, cultural differences, and communication barriers which suggest that the current guidelines for determining credibility are unreliable.



IMPORTANCE AND CONCERNS

- ❖ A study by Redding et al. (2001) found preferences for highly educated mental health professionals giving testimony such as psychiatrists or psychologists.
- ❖ They also found that legal professionals are receptive to forensic evaluations for criminal proceedings, but preferred concise diagnostic information over statistical information.
- ❖ The study also discussed that legal professionals do not receive adequate training regarding social science and how it can apply to legal issues.
- ❖ Judges are instructed to evaluate the credibility of a seeker's testimony, yet they do not have the training to determine the influence of culture and trauma on the asylum seeker's story.
- ❖ Using psychological experts in immigration court may be a solution, but judges and lawyers hold conflicting views about using mental health experts in court proceedings (Redding et al., 2001)



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RECOMENDATIONS

- ❖ This presentation aims to provide recommendations to forensic psychologists, attorneys, and judges in immigration court.
- ❖ First, the research indicates the need for guidelines backed by empirical data for determining the legitimacy of claims by asylum seekers (Filone & DeMatteo, 2017).
- ❖ Second, legal professionals can benefit from education on why and how psychological information can be helpful (Redding et al., 2001).
- ❖ Finally, standardization of legal requirements for granting asylum can reduce the inequalities experienced by asylum seekers.

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