

U.S. Department of Homeland Security  
U.S. Citizenship and Immigration Services  
National Records Center  
P.O. Box 648010  
Lee's Summit, MO 64064-8010



U.S. Citizenship  
and Immigration  
Services

November 9, 2022

Austin Evers  
1030 15th St NW  
Ste B255  
Washington, DC 20005

**COW2019501574**

Dear Austin Evers:

This is in response to your Freedom of Information Act/Privacy Act (FOIA/PA) request received in this office on November 13, 2019. You specifically requested any final policies, procedures, protocols, instructions or guidance regarding the transfer of responsibility for credible fear interview from asylum officers within USCIS to law enforcement agents within CBP.

Enclosed is a supplemental release of the records that contained ICE equities, which consists of 115 pages that are responsive to your request. We have reviewed and have determined to release all information except those portions that are exempt pursuant to 5 U.S.C. § 552 (b)(6), (b)(7)(c) and (b)(7)(e) of the FOIA.

The following exemptions are applicable:

Exemption (b)(6) permits the government to withhold all information about individuals in personnel, medical and similar files where the disclosure of such information would constitute a clearly unwarranted invasion of personal privacy. The types of documents and/or information that we have withheld may consist of birth certificates, naturalization certificates, drivers' licenses, social security numbers, home addresses, dates of birth, or various other documents and/or information belonging to a third party that are considered personal.

Exemption (b)(7)(C) provides protection for personal information in law enforcement records, which could reasonably be expected to constitute an unwarranted invasion of personal privacy. We have withheld information relating to third-party individuals. The types of documents and/or information we have withheld could consist of names, addresses, identification numbers, telephone numbers, fax numbers, or various other documents that are considered personal.

Exemption (b)(7)(E) of the FOIA provides protection for records or information for law enforcement purposes which would disclose techniques and procedures for law enforcement investigations or prosecutions, or would disclose guidelines for law enforcement investigations or prosecutions if such disclosure could reasonably be expected to risk circumvention of the law. The types of documents and/or information we have withheld could consist of law enforcement systems checks, manuals, checkpoint locations, surveillance techniques, and various other documents.

The enclosed record consists of the best reproducible copies available. Certain pages contain marks that appear to be blacked-out information. The black marks were made prior to our receipt of the file and are not information we have withheld under the provisions of the FOIA or PA.

The National Records Center does not process petitions, applications or any other type of benefit under the Immigration and Nationality Act. If you have questions or wish to submit documentation relating to a matter pending with the bureau, you must address these issues with your nearest District Office.

All FOIA/PA related requests, including address changes, must be submitted in writing and be signed by the requester. Questions concerning this FOIA/PA request may be mailed to the FOIA/PA Officer at the

[www.uscis.gov](http://www.uscis.gov)

COW2019501574

Page 2

PO Box listed at the top of the letterhead or emailed to [FOIAPAQuestions@uscis.dhs.gov](mailto:FOIAPAQuestions@uscis.dhs.gov). Please include the control number listed above on all correspondence with this office. You can now submit a new FOIA request online using our new Freedom of Information Act Records System (FIRST). If you wish to submit a new FOIA/PA request, please visit [www.uscis.gov/FOIA](http://www.uscis.gov/FOIA) for instructions and requirements.

Sincerely,



Cynthia Munita  
Director, FOIA Operations

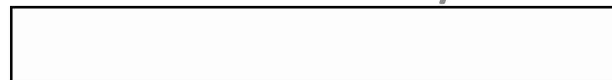
Enclosure(s)

[www.uscis.gov](http://www.uscis.gov)



# Adjudicating Children's Claims

RAIO CTP 1905/1906



(b)(6) (b)(7)(c)

Victims Assistance Specialist (HSI)



(b)(6) (b)(7)(c)

Adjudications Officer, RAIO Training Team

# Homeland Security Investigations (HSI)

(b)(6) (b)(7)(c)

## **Victim Assistance Specialist**

HSI Newark 973-954- (b)(6) (b)(7)(c)

- 2009 - present: HSI Victim Assistance Specialist, Collateral Duty Forensic Interviewer
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# Child Refugees

Nearly

**1 in 200**

children in the world  
is a child refugee



Nearly

**1 in 3**

children living outside  
their country of birth  
is a refugee



**2x** as many child  
refugees\* in 2015  
than in 2005



2015



2005

Around the world

**1 in 8** migrants  
is a child



Around the world

**28 million**

children have been forcibly displaced



And there are

**20 million**

other international child migrants



# Testimony: Adult v Child



# Topics

- International Guidance
- Cultural & Developmental Factors
- Building Rapport
- Interview Considerations
- Legal Analysis for RAIO Adjudications

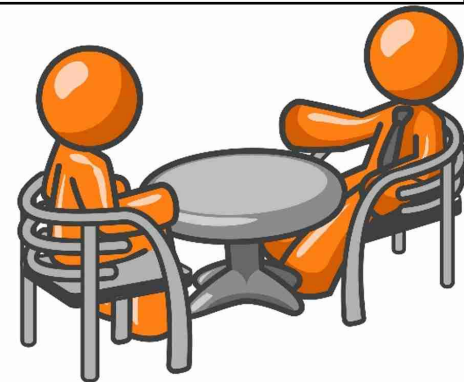
# International Guidance

- Universal Declaration of Human Rights
- Convention on the Rights of the Child
- UNHCR ExCom Conclusions # 47, 59, and 107
- UNHCR Policies and Guidelines.

*“Best interests of the child” principle in international guidance*

# Forensic Interviews

(b)(7)(e)



# Phased interview protocols

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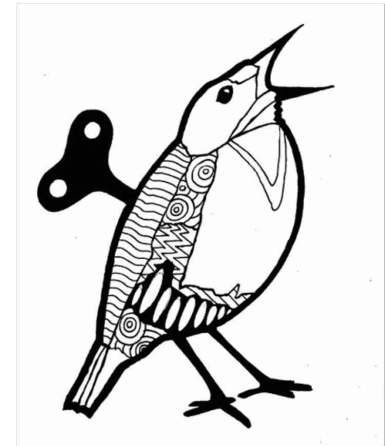
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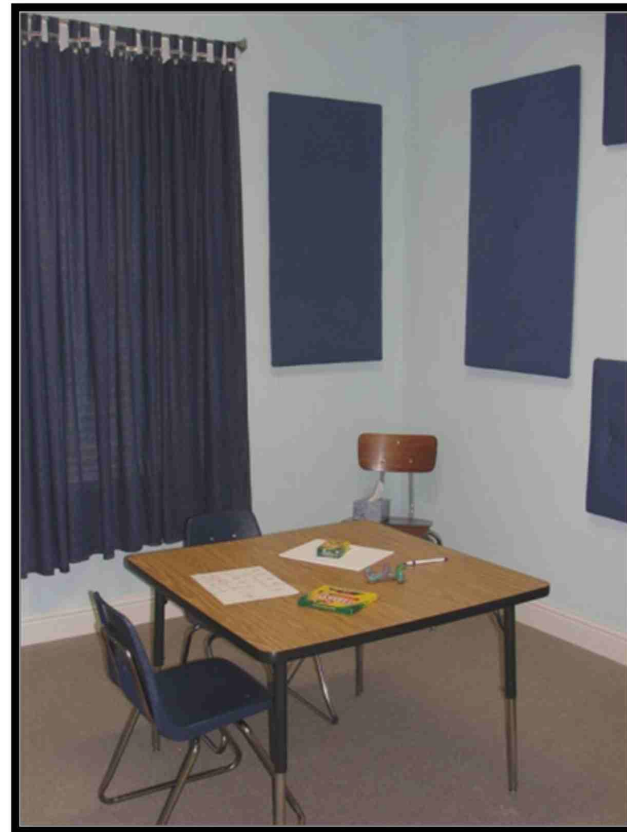
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Tell me what really happened,  
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# Child Friendly Interview Space

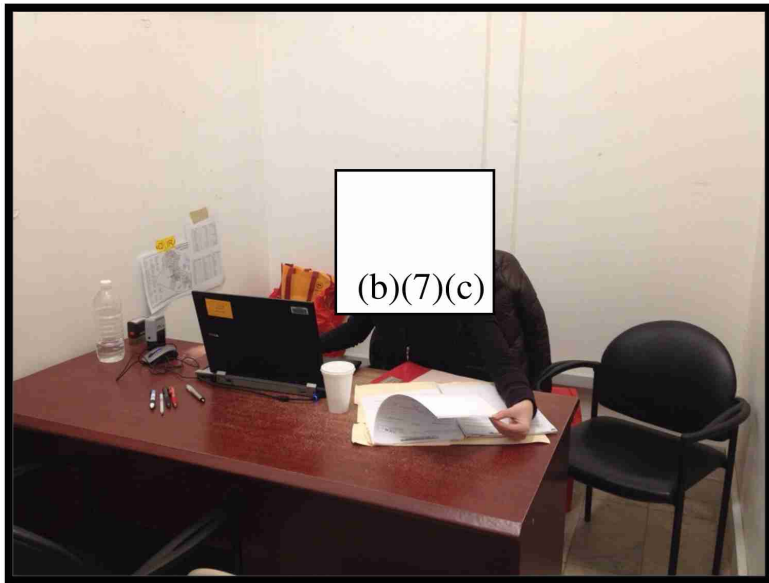
Do what you can to make your interview space more child friendly





# Child Friendly Interview Space

Do what you can to make your interview space more child friendly



# Influential Factors in Child Development

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# Normal Child Development

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(b)(7)(e)



# Factors that Accelerate or Stunt Development

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# Developmental Factors Impacting Interview

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# Children's Preconceptions

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# Developmental Factors Impacting Interview

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# Children's Beliefs

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# Procedural Considerations

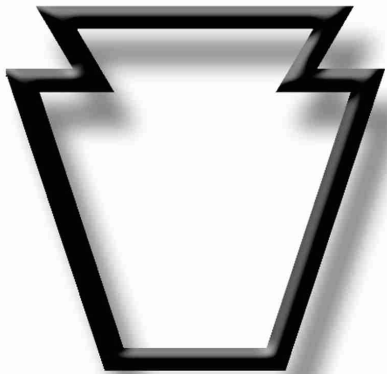
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# Presence of a Trusted Adult or Child Advocate

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# Rapport Building



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# Introduction

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# Introduction

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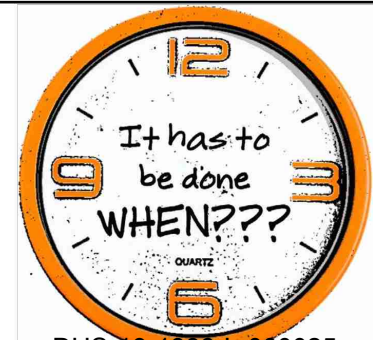
(b)(7)(e)

# Introduction

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# General Interview Considerations

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# Linguistic Considerations

## Keep it short! Keep it simple!

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# Linguistic Considerations

## Keep it short! Keep it simple!

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(b)(7)(e)

# Suggestibility

(b)(7)(e)

# Memory

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# Questioning Techniques



# Tell me what happened

(b)(7)(e)



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# Tell me what happened

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# Tell me what happened

(b)(7)(e)

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(b)(7)(e)

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(b)(7)(e)





# Pushing the Narrative

National Children's Advocacy Center  
31st International Symposium on Child Abuse  
March 23-26, 2015

[Redacted] MSW LISW  
(b)(6) (b)(7)(c) [Redacted]

# Benefits of Narrative Event Practice In the Rapport Building Phase

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(b)(7)(e)

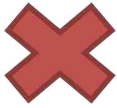
# Memory & Narrative *Event* Practice

(b)(7)(e)

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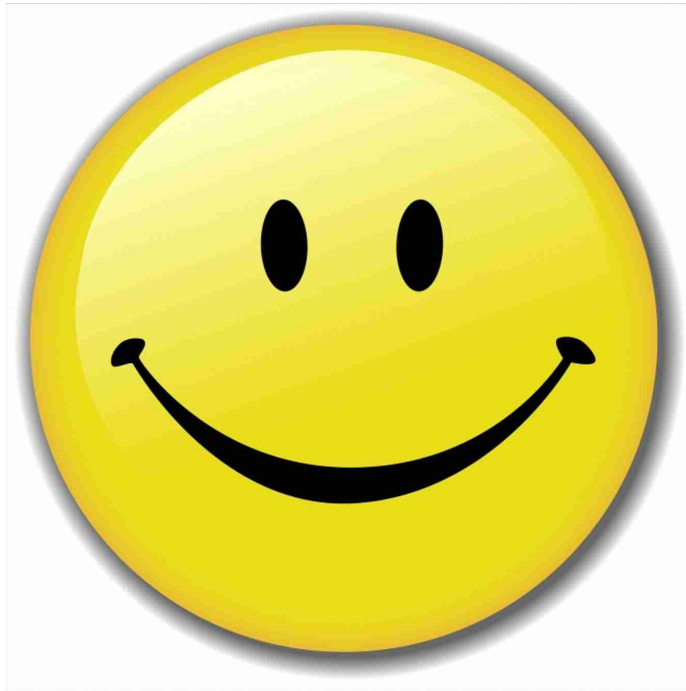
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# Memory & Narrative *Event* Practice



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# Building Rapport



# Building Rapport



# Children's Credibility Considerations

(b)(7)(e)



# Other Credibility Considerations

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(b)(7)(e)

# Evidence

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# Legal Analysis: Definition of a Refugee

(b)(7)(e)

# Persecution: Level of Harm

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(b)(7)(e)

# Types of Harm to Children

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# Well-founded Fear

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# Nexus Issues

(b)(7)(e)

# Interviewing the Reluctant Child

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

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(b)(7)(e)





# If you hit a road block



**PLEASE USE  
OTHER DOOR**



# What if the child becomes upset?

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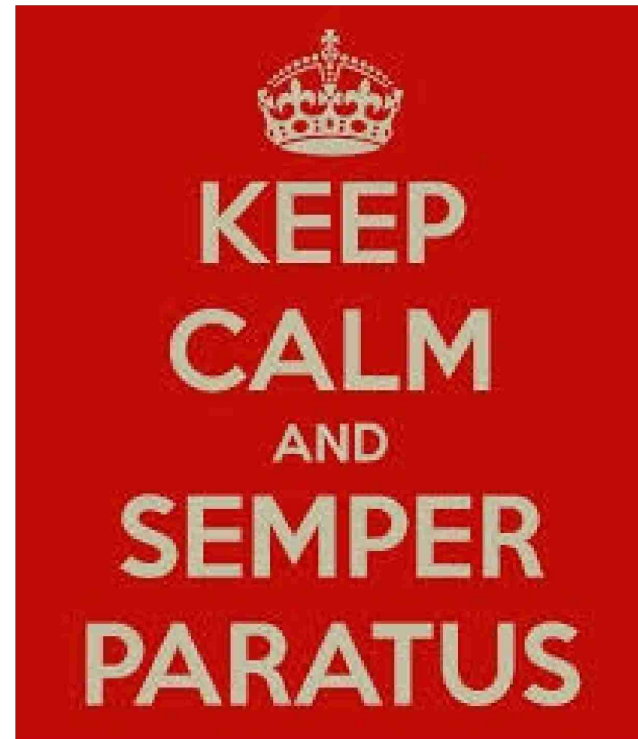
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(b)(7)(e)



# So now what?



# Resources

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<http://calio.org/>

National Children's Advocacy Center – free online training

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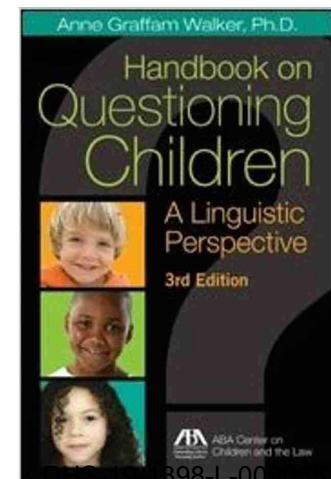
NICHD Protocol and associated research <http://nichdprotocol.com/>

# Resources

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David La Rooy, MSc, Ph.D.

<http://www.ibic.org.uk/david-la-rooy>



# Homeland Security Investigations (HSI)

## Contact Information

(b)(6) (b)(7)(c)

, **Victim Assistance Specialist**

USICE Homeland Security Investigations  
HSI Newark

(b)(6) (b)(7)(c)

Desk: 973-954-

Mobile: 973-332-

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RAIO CTP 1905/1906



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[Redacted]

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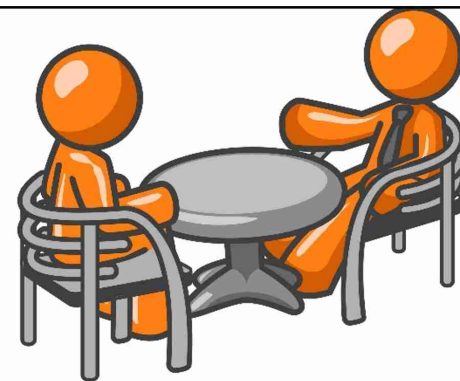
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(b)(7)(e)



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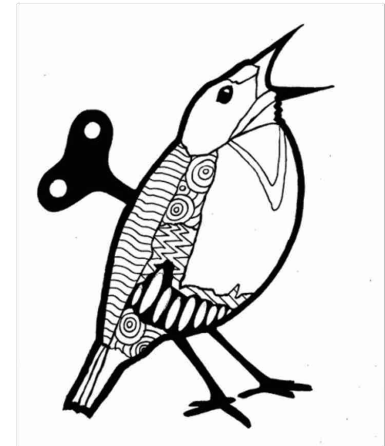
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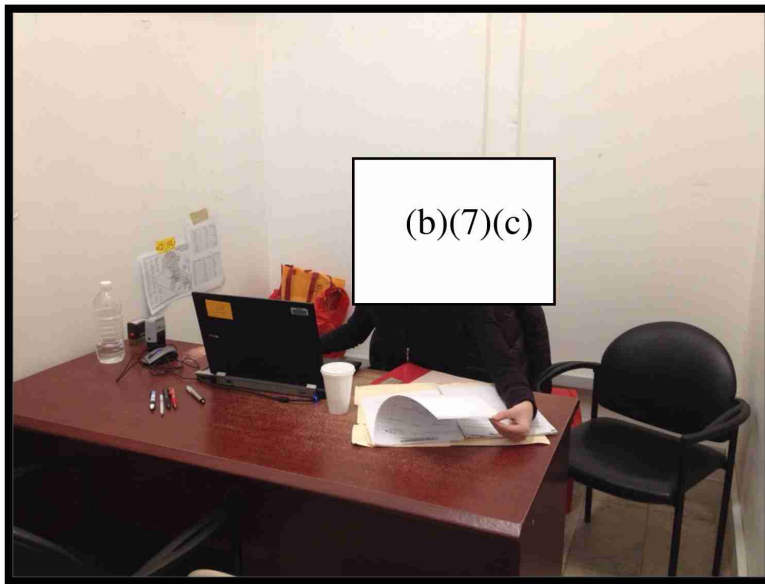
# Child Friendly Interview Space

Do what you can to make your interview space more child friendly



# Child Friendly Interview Space

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# Influential Factors in Child Development

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# Normal Child Development

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# Factors that Accelerate or Stunt Development

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# Developmental Factors Impacting Interview

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# Children's Preconceptions

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# Developmental Factors Impacting Interview

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# Children's Beliefs

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# Procedural Considerations

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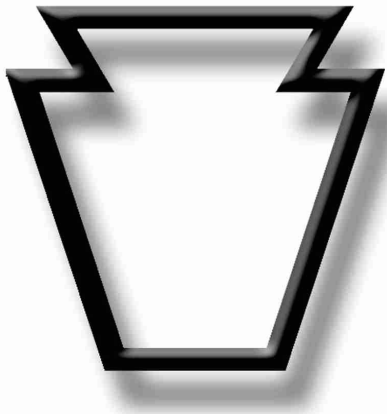
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# Presence of a Trusted Adult or Child Advocate

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# Rapport Building



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# Introduction

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# Introduction

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# General Interview Considerations

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(b)(7)(e)

# Linguistic Considerations

## Keep it short! Keep it simple!

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(b)(7)(e)

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# Memory

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# Questioning Techniques



# Tell me what happened

(b)(7)(e)



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(b)(7)(e)



# Tell me what happened

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# Tell me what happened

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# Pushing the Narrative

National Children's Advocacy Center  
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# Benefits of Narrative Event Practice In the Rapport Building Phase

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# Memory & Narrative *Event* Practice

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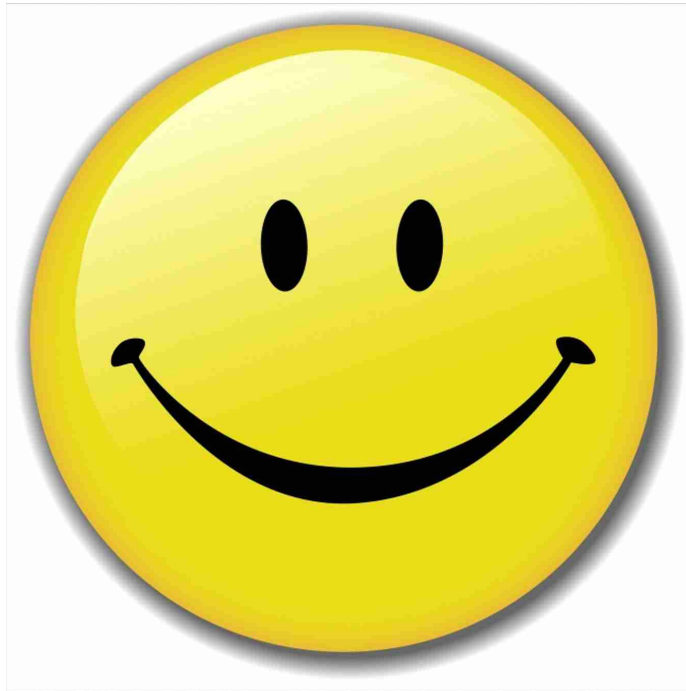
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# Building Rapport



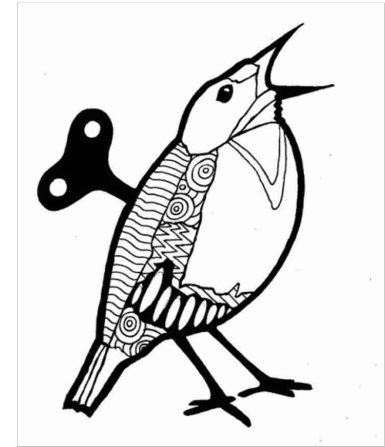
# Building Rapport





# Tell me what really happened

“Tell me what happened,  
in your own words,  
with as much detail as  
possible.”



(b)(7)(e)

# Children's Credibility Considerations

(b)(7)(e)

# Other Credibility Considerations

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# Well-founded Fear

(b)(7)(e)



# Nexus Issues

(b)(7)(e)

# Interviewing the Reluctant Child

- [Redacted]
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- [Redacted]

(b)(7)(e)

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# If you hit a road block



**PLEASE USE  
OTHER DOOR**

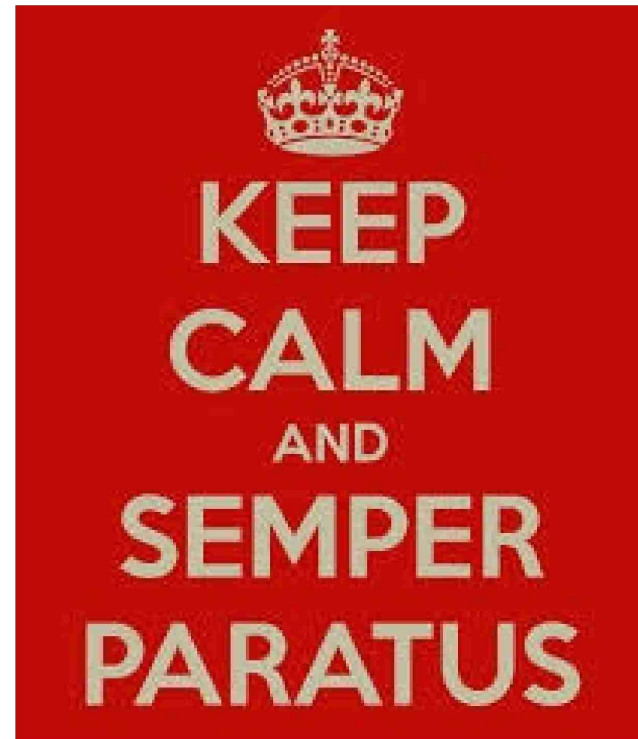


# What if the child becomes upset?

(b)(7)(e)



# So now what?



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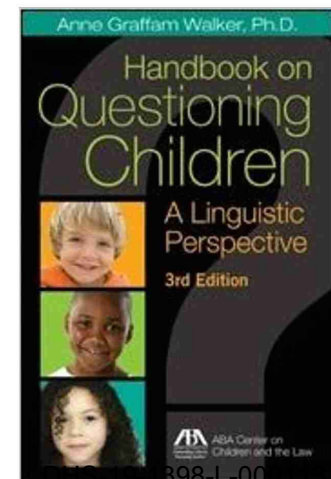
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