

Trauma Informed Structured Interview Questionnaires for Immigration Cases (SIQI)¹

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The following questionnaires are provided to facilitate the Trauma Informed Structured Interview. During the story developing session, clients are encouraged to share their story uninterrupted while advocates and attorneys listen, take notes, and watch for triggers. This tool is designed to be used during follow up interviews with clients. This Structured Interview Questionnaire for Immigration (SIQI) will aid advocates and attorneys in eliciting additional in-depth information to strengthen their client’s immigration case and will also provide a complete picture of trauma and distress endured by survivors. The questions are designed to facilitate the client’s healing and to strengthen the client’s immigration application by uncovering important details of the story by screening for additional incidents, experiences, and emotional harms that contribute to extreme cruelty and/or substantial mental or physical abuse. Attorneys and advocates should explain the goals of this session to the client before initiating the trauma informed structured interview.

While conducting the Trauma Informed Structured Interview Questionnaire for Immigration (SIQI), it is important to be mindful of the following:

- The story developing session in which clients are encouraged to share and to the extent possible write their stories uninterrupted comes first.
- This SIQI can be used by the attorney or advocate during that first interview as a note taking guide to annotate or identify issues that you want to be sure to follow up on in the second interview. However, trauma informed best practices make it important to assure that the first interview is the victim’s uninterrupted account and if you use the SIQI it should be for note taking only.
- These questions should be administered by the advocate or attorney and are not intended to be used as a questionnaire(s) that clients fill out on their own.
- Clients should be told ahead of time that some of these questions are sensitive in nature and that they are not required to answer questions that make them uncomfortable. The advocate or attorney may want to tailor the questions to the client’s ability to understand the question. (i.e. education, cognitive understanding, bilingual advocates adapting the questions to be most understandable in the client’s native language)
- Use this tool in conjunction with crisis intervention techniques and be mindful of your own self-care needs during this and all other sessions.
- Allow time for breaks and “check-ins” with your client.

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STRUCTURED INTERVIEW QUESTIONS FOR VAWA SELF-PETITION

This section outlines the basic requirements for a VAWA Self Petition and will allow the attorney/advocate to remember follow up questions and details that may be important to document the abuse, battering and extreme cruelty and the impact of these on the client's well-being, physical and mental health and safety for the VAWA self-petition. It begins by documenting the details of the relationship between the abuser and the client, the extreme cruelty suffered and its extent, and any good moral character issues that may affect the client's application. Note that not all sections will apply to your client.

I. Relationship with Abuser and Cohabitation

If the abuser is your spouse or ex-spouse, you will need to show that you got married because you loved each other, and that you lived together at some point.

- When and where did you and your spouse meet?
 - Who introduced you?
 - Who else was there when you first met?
- When did you start dating? What did you do while you were dating?
 - While you were getting to know each other, were you in the U.S. or in another country?
 - Did you go out to eat, go to parties, go to the movies, etc.?
 - What kinds of activities did you do together?
 - Were there people that you went out with?
 - What made you fall in love with your spouse?
- When did you move in together?
- How long did you date or live together before you decided to get married?
- When did you decide to get married?
 - Did your spouse propose to you?
 - Where were you?
 - What were you doing?
 - What did you respond?
 - Was anyone else present?
- When and where did you get married?
 - How was your wedding?
 - Who was present?
 - Was there a party before or after the wedding?
- Did you go on a honeymoon? If yes, when and where?
- Where did you first live as a married couple? Do you remember the address?
- Write down a list of the addresses of all the homes you shared with your spouse and the dates you lived there.
- When you were living together, did anyone else live with you (children, parents, siblings, or friends)?
- Were you allowed to have friends visit you at your home?
- Did you have parties or receptions?
- Do you and your spouse have children together? How many children do you have in common? What are their names and when were they born?

- If you had children from a previous marriage or relationship, did your spouse spend time with them?
- What was the marriage like at the beginning?
 - Were there good times before the abuse started?
 - What did you do together as a family?
 - Do you remember any special occasion from the good times?
 - A family celebration?
 - A birthday party?
 - A family vacation?
- What were your future plans together?

If the abuser is your stepparent, you will need to show that you had a stepparent-child relationship.

- How did your parent and stepparent meet?
 - When did they start dating?
 - When did they move in together?
- How long did your parent and stepparent live together before they decided to get married?
- When and where did your parent and stepparent get married?
 - How was their wedding?
- In addition to you, do your parent and stepparent have any children?
 - How many children do they have in common?
 - What are their names and when were they born?
- Were you ever adopted by your stepparent?
- Did you ever live together with your parent and stepparent?
 - If so, do you remember the address (es)? Try to include all the address (es) of the homes you shared with your parent and stepparent and the dates you lived there.
- Do you remember any special occasions from the good times you spent with your parent and stepparent?
 - A family celebration?
 - A birthday party?
 - A family vacation?

If the abuser is your parent, you will need to show that you had a parent-child relationship.

- How did your parents meet?
 - Did they ever get married?
 - If so, when and where?
- When and where were you born?
- Is the abusive parent listed on your birth certificate or on your baptism record?
- Do you have any siblings or half-brothers or half-sisters from this parent?
- If your parents divorced or separated, did the abusive parent have custody of you?
- Did the abusive parent have to pay child support?
- Did he or she have visitation rights to see you? If so, how often?
- Did you ever live together with your abusive parent?

- If so, do you remember the address (es)?
- Try to include all the address (es) of the homes you shared with him or her and the dates you lived there.
- Do you remember any special occasions from the good times you spent with your abusive parent?
 - A family celebration?
 - A birthday party?
 - A family vacation?

If your abuser is your over 21 year old U.S. citizen son or daughter, you will need to show that you had a parent-child relationship.

- When was your son or daughter born?
 - Are you listed on his or her birth certificate or baptism record?
- Did you live with your son or daughter as he or she was growing up?
 - If not, did you visit him or her?
 - If yes, how often did you see your son or daughter?
 - Did you pay child support for him or her?
- When did your son or daughter come to the U.S.?
 - How did he or she become a U.S. citizen?
- Did you ever live together with your son or daughter in the U.S.?
 - If so, do you remember the address (es)?
 - Try to include all the address (es) of the homes you shared with him or her and the dates you lived there.
- Do you remember any special occasions from the good times you spent with your son or daughter?
 - A family celebration?
 - A birthday party?
 - A family vacation?

II. Battery and/or Extreme Cruelty

- When did the abuse begin and where were you at the time?
 - Did it start with an argument or was it unprovoked?
 - Did it escalate into physical violence?
- After the initial mistreatment, how frequent were your abuser's abusive episodes?
 - Did your abuser get more and more violent?
- Please give a detailed description of what the abuse was like.
 - Can you recall a specific violent or abusive outburst?
 - What did your abuser do specifically?
 - Did your abuser do any of the following things:
 - Yell or curse at you? Did your abuser call you names? If so, what words did he or she use?
 - Hit, kick, or slap you? If so, what did your abuser use and how did he or she hurt you?

- Throw things at you? If so what did your abuser throw at you?
 - Pull your hair?
 - Grab you by the throat?
 - Force you to have sex against your will (when you didn't want to)?
- Did your abuser also hurt your children? How?
- Did your abuser forbid you to communicate with family or friends?
- Did your abuser ever threaten to kill or hurt you, your children, or family members?
- Did your abuser threaten you with a gun or other weapon?
- Did your abuser threaten to commit suicide?
- Did your abuser threaten to destroy your property?
- Did your abuser threaten to have you deported or take your papers away?
 - Did your abuser threaten to take your children away?
- Did anyone, including family and friends, witness the abuse?
- Did you seek medical assistance because of the abuse? When? Where?
- Did you call the police because of the abuse?
 - When?
 - How many times?
 - What did the police do? Was a police report taken at these times?
- Did you ever get a restraining order?
- Has there been a criminal case charged against your abuser? When? Where did it happen?
- After your abuser's violent periods, did you make up?
 - Did your abuser apologize?
 - How was your abuser's behavior afterwards?
 - Did your abuser treat you better momentarily?
- When and why did you decide to leave your husband?
 - How were you able to do it?

III. Good Moral Character

- Think of examples that show that you are a good parent.
 - Do you work long hours or overtime to support your family?
 - Do you work several jobs to make ends meet?
 - Describe your role in taking care of your children.
 - Do you drive them to and from school?
 - Do you dress them in the morning?
 - Do you prepare their meals?
 - Do you take them to the doctor or dentist?
 - Do you help your children with their homework or school projects?
 - Are you involved with their school activities?
 - Describe your favorite activities with your children.
 - Do you read them stories at night?
 - Do you pray together?
 - Do you take them to the playground?
 - Do you play with them?
- 1. Give examples that show that you are a good member of your community.

- Do you regularly attend religious services?
- Are you an active member in your faith community?
- Do you volunteer your time or donate?
- Do you help out your neighbors, friends, or other family members?

STRUCTURED INTERVIEW QUESTIONS FOR VAWA CANCELLATION OF REMOVAL
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VAWA Cancellation is a remedy available only to those clients who are in removal (deportation) proceedings who have cases before an immigration judge. For VAWA Cancellation you will need to write and ask about 2 added elements of the case to qualify, in addition to the questions listed above for VAWA self-petition. Therefore, you should ask these additional questions to be able to show: 1) Continuous Presence in U.S. for 3 years and 2) the hardship your client and her family would face if she were returned to her home country.

IV. Continuous Presence in the U.S.

2. When did you come to the U.S.?
3. How long have you lived in the U.S.?
4. Did you ever leave the country?
 - If yes, for how long were you gone?
 - Did your abuser take you outside of the country?
 - Did you leave the country because of the abuse?
 - Did you go on a vacation outside the U.S.?
 - Did you visit relatives in your home country?
5. If you left several times, it's important to make note of those times with specific dates.

V. Hardship if Returned to Home Country

6. What would happen to you or your family if you were to return to your country of origin? Are you afraid of returning to your country of origin? Why?
 - What are the living conditions in your country?
 - Do you think you would be safe?
 - Why or why not?
 - Can you trust the police?
 - Is there a lot of crime?
 - Are there laws or customs in your country that mistreat victims of domestic violence, are divorced, or have children but no husband?
 - Does the government of your country protect victims of crime?
 - Are you afraid that your abuser would take action against you in your country?
 - Or do you think your perpetrator would try to harm you for having called the police?
 - If so, would you be able to receive adequate protection?
 - Are you afraid that the friends and family of your abuser will try to hurt you or your children (physically or psychologically)?
7. Why do you want to stay in the United States?
 - If you had to leave the U.S., would you be separated from your loved ones?

- Would you still be able to support yourself and your family?
 - Are there services that you have in the U.S. that you wouldn't have if you were deported (ex: social workers, medical help, counseling, government benefits like WIC, etc.)?
 - If you or your children are receiving medical treatments or counseling, would you be able to continue them in your home country?
 - Do your children speak the native language of your country?
 - Would it be difficult for them to adjust going to school in your country?
 - Do you need to stay in the U.S. to have access to the courts and/or help the police in investigating your abuser?
8. What hopes do you have for the future, for you and for your children?
 9. Is there anything else you would like to mention or tell the Immigration officer about you or your family?

STRUCTURED INTERVIEW QUESTIONS FOR U VISA CASES
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This section outlines the basic requirements for a U Visa and will allow the attorney/advocate to remember follow up questions and details that may be important to document the U visa application. There are a number of questions asking about the harm stemming from the crime which may be difficult for your client to answer, but which is useful in meeting the requirement that an applicant demonstrate the substantial physical, psychological, or emotional harm suffered from the crime.

VI. Relationship with Perpetrator (there need not be a relationship perpetrator)

- Is the perpetrator a relative or family member?
 - Did you live together? How long was your relationship with him or her?
- Is the perpetrator your spouse, former spouse, or significant other? How did you meet and what has your relationship been like?
 - How long were you in a relationship?
 - If you were married, when and where did the ceremony take place?
 - Did you have children from a previous relationship?
 - Did you have children with your partner?
 - How did your partner treat the children?
 - Is the perpetrator someone you went on a date with? If so how and where did you meet?
 - Is the perpetrator someone who stalked you or tried to go on dates with you?
 - Is the perpetrator your boss, manager, co-worker, customer, or client?
 - Is the perpetrator your teacher or classmate?
 - Is the perpetrator your neighbor or family friend?
 - Is the perpetrator your clergy member or someone from your faith community?

VII. Qualifying criminal activity

1. If you client was a victim abuse by his/her spouse, partner, or parent:
 - When and how did your abuser start mistreating you? For example did your abuser insult you? Did he or she hit you? Push you? Kick you? Did your abuser say bad words to you? Did he or she call you names?

- How often did your abuser do this?
 - Did your abuser do it in front of others? Who?
 - How did it make you feel?
 - Did you ever call the police? Were you too scared to call for help?
 - When was the first time you decided to call the police? What happened?
2. If your client was the victim of a criminal activity or criminal activities by a stranger:
- Where were you and what were you doing right before the crime? Do you remember the time?
 - How did the incident begin? Did the perpetrator instigate an argument or did he/she attack right away?
 - How and where did the perpetrator hurt you?
 - Did you try to escape? Were you able to cry for help?
 - Did anyone see what happened?

VIII. Physical, physiological, and emotional harm

- Have you suffered any physical injury?
- What was the intensity and the duration of the pain?
- Were you permanently disabled or scarred as a result of the criminal activity?
- Were you taken to the hospital or did you receive any medical care?
- Were you prescribed any medication?
- Have you suffered any psychological injury because of the criminal activity?
- Do you experience humiliation, depression, sleeping problems, anxiety?
- Have you received any counseling?
- Have you been prescribed medication to cope with your psychological problems?
- How has the victimization from the crime changed your physical or emotional energy?
 - Have you been suddenly acting or feeling as if a stressful experience were happening again (as if you were reliving it)?
 - Have you been feeling very upset when something reminded you of a stressful experience from the past?
 - Have you been experiencing physical reactions (e.g., heart pounding, trouble breathing, or sweating) when something reminded you of a stressful experience from the past?
 - Have you been avoiding thinking about or talking about a stressful experience from the past or avoid having feelings related to it?
 - Have you been avoiding activities or situations because they remind you of a stressful experience from the past? If so, what kind of activities have you been avoiding?
 - Did you lose interest in things that you used to enjoy? If so, what sort of things or activities?
 - Have you experienced trouble falling or staying asleep?
 - Have you been feeling irritable or have you had angry outbursts?
 - Have you experienced difficulty concentrating?

- Have you been feeling “super alert” or watchful on guard? Have you been feeling jumpy or easily startled?
- How has victimization changed your reaction to remembering or thinking about certain things? Do you have repeated, disturbing memories, thoughts, or images of a stressful experience from the past? Do you have repeated disturbing dreams of a stressful experience from the past? Do you have trouble remembering important parts of a stressful experience from the past?
- How has being a victim of this crime changed how you feel about the future? Have you been feeling as if your future will somehow be cut short?
- How has it change your relationships with people?
- How has being a victim of this crime impacted your ability to work or be productive?
- How has it changed your relationship with your family and children?
- Are you more fearful and mistrusting of people? Are you fearful for your life?
- Have you been feeling distant or cut off from other people?
- Have you been feeling emotionally numb or being unable to have loving feelings for those close to you?
- Were your children affected in any way?
- Are they experiencing sleeping or behavioral problems after the incident? Are they acting out in school?
- Did you receive assistance from any community agency? Financial, therapy, social services? Please describe.
- Have you received any kind of counseling or psychological therapy as a result of the incidents that occurred with your perpetrator?

IX. Helpfulness to Law Enforcement

- Did you call the police? If you didn't, who did?
 - If you called the police on previous occasions, then describe the events that occurred when you called the police the last time.
- What happened while you were waiting for the police to arrive? What happened when the police arrived?
 - Did they arrest the perpetrator?
 - Did the perpetrator get away?
- How were you and the police officers able to communicate?
 - Did someone translate for you? If so, who? Did the police bring an interpreter for you?
- What did the officers ask you? What did you tell them?
 - Did you tell the police you wanted the perpetrator arrested?
- Did the police officers take any photos of your injuries or of the place where the criminal activity occurred?
- Did the police report accurately describe what happened? If not, what were the discrepancies?
- Did the police ever call you to follow-up or ask you more questions?
 - Who called you and how many times did the officers call you to ask questions about the incident?
- Did anyone else call you to ask you about the incident?
 - Who were they and what did they ask you?
 - Did they request you appear in court?

- In their office?
- How did you feel about everything that was happening?
- Were social services involved as a result of the criminal activity?
 - If so, how did you help them?
- Was the perpetrator charged with a crime?
 - Do you remember what it was?
- Did you get a restraining order?
 - Did the perpetrator ever violate it?
 - If so, did you call the police?
- Did you receive any correspondence from the Court?
 - The State Attorney's Office? The Police Department?
- Did you receive any telephone calls from the Court?
 - The State Attorney's Office? The Police Department?
 - Who called you and what did they need?
- Did you ever receive a notice to appear in Court?
 - Did you ever receive a Subpoena?
 - If so, did you go to court?
 - If you did, describe what happened in court.
 - How did you feel?
 - Were you confused?
 - Were you afraid? Why?

STRUCTURED INTERVIEW QUESTIONS FOR WAIVER OF INADMISSIBILITY

Note that this section may not apply to those who are not subject to any grounds of inadmissibility. An individual who seeks admission into the United States through a VAWA self-petition, a U visa, a T visa or an application for lawful permanent residency must meet certain *admissibility* requirements to be eligible to receive an approved immigration case, receive a visa and eventually be legally admitted into the United States. Immigration law contains lists of inadmissibility grounds that it is important for advocates and attorneys to identify so that the victim's immigration case application can include waivers of inadmissibility requests as part of the client's application. Identifying whether any of the following issues are present in the victim's immigration case is crucial to ensuring that all needed inadmissibility waivers are identified and addressed as the victim's immigration case is being prepared. The ability to attain approvals in VAWA, T or U visa immigration cases is enhanced when inadmissibility issues are identified and addressed as early as possible in the application process.

X. Inadmissibility

1. What was the unlawful activity that you committed? What or who made you do it?
 - Did you enter the U.S. as a minor?
 - Did you enter unlawfully to reunite with your family?
 - Were you trying to escape abuse, physical or sexual violence, or extreme poverty?
 - Did you drive without a license because you had to get to work, take care of your children, or go to the doctor?
2. What were the consequences of the unlawful activity?
 - Did you resolve the matter by paying a fine?
 - Did you have to go to court?

- If so, what happened at court?
 - Did you plead guilty?
 - Who advised you to plead guilty or why did you decide to plead guilty?
- 3. Do you feel sorry for what you did?
- 4. Ask your client to tell you about positive characteristics regarding the kind of person they are? Often survivors may overlook this part of their character. You may want to ask if they consider themselves:
 - A good person, ask for an detailed examples:
 - Are you a responsible parent?
 - Are you a hardworking employee?
 - Are you a law-abiding person?
 - Do you work long hours or overtime to support your family?
 - Do you work several jobs to make ends meet?
 - Describe your role in taking care of your children.
 - Do you drive them to and from school?
 - Do you dress them in the morning?
 - Do you prepare their meals?
 - Do you take them to the doctor or dentist?
 - Do you help your children with their homework or school projects?
 - Are you involved with their school activities?
 - Describe your favorite activities with your children.
 - Do you read them stories at night?
 - Do you pray together?
 - Do you take them to the playground?
 - Do you play with them?
- 5. To show that your client is a good member of his/her community, ask:
 - Do you regularly attend religious services?
 - Are you an active member in your faith community?
 - Do you volunteer your time or donate?
 - Do you help out your neighbors, friends, or other family members?
- 6. Ask your client to conclude by explaining how their life would change if they had to leave the U.S. If your client has children, also discuss how it would change the children's lives if they had to return to the client's native country.
- 7. What would happen to you or your family if you were to return to your country of origin? Are you afraid of returning to your country of origin? Why?
 - What are the living conditions in your country?
 - Do you think you would be safe? Why or why not?
 - Can you trust the police? Is there a lot of crime?
 - Are there laws or customs in your country that mistreat victims of domestic violence, victims who are divorced, or have children but no husband?
 - Does the government of your country protect victims of crime?
 - Are you afraid that your abuser would take action against you in your country?
 - Or do you think your perpetrator would try to harm you for having called the police?

- If so, would you be able to receive adequate protection?
 - Are you afraid that the friends and family of your abuser will try to hurt you or your children (physically or psychologically)?
- 8. Why do you want to stay in the United States?
 - If you had to leave the U.S., would you be separated from your loved ones?
 - Would you still be able to support yourself and your family?
 - Are there services that you have in the U.S. that you wouldn't have if you were deported (ex: social workers, medical help, counseling, government benefits like WIC, etc.)?
 - If you or your children are receiving medical treatments or counseling, would you be able to continue them in your home country?
 - Do your children speak the native language of your country?
 - Would it be difficult for them to adjust going to school in your country?
 - Do you need to stay in the U.S. to have access to the courts and/or help the police in investigating your abuser?
- 9. What hopes do you have for the future, for you and for your children?
- 10. Is there anything else you would like to mention or tell the Immigration officer about you or your family?

TRAUMA INFORMED EVIDENCE BASED STRUCTURED INTERVIEW QUESTIONS

The following trauma informed interview questions are designed to help you and your client identify additional information that will strengthen your client's VAWA or U visa cases in a variety of ways. This section of the structured interview will use research based trauma informed questions. Going through these questions with your client will help you build a stronger case on issues including extreme cruelty, substantial harm, good moral character and your client's qualification for inadmissibility waivers. They will also help you identify additional incidents of abuse and criminal activity that may not have surfaced through story writing or the follow up questions listed above.

XI. DANGER ASSESSMENT³

Note to Advocates and Attorneys: Research among immigrant survivors has found that advocacy involving danger assessment and safety planning strongly correlates with immigrant survivors' willingness to seek protection orders, immigration relief and other forms of legal protections. For victims scoring high on this danger assessment scale provides you a strong indicator of the importance of working to help your client file for VAWA and U visa relief as soon as possible. This is because filing a VAWA, U, or visa immigration case will cut off the ability of the perpetrator to trigger immigration enforcement actions against your client and will strengthen her safety planning. Assessing danger will also help you identify key areas of evidence to develop in support of proving battering and extreme cruelty in your VAWA case and identifying criminal activities and proving substantial harm in your U visa case. High numbers of yes answers on the danger assessment questions may also provide you evidence that you can use to explain why the client was afraid to call the police for help, cooperate with prosecutors,

³ Jacquelyn C. Campbell, Ph.D., R.N., Danger Assessment, (2003), <http://www.dangerassessment.org/DATools.aspx>.

seek medical assistance or file for a protection order.

Script: Several risk factors have been associated with increased risk of homicides (murders) of women and men in violent relationships. We cannot predict what will happen in your case, but we would like you to be aware of the danger of homicide in situations of abuse and for you to see how many of the risk factors apply to your situation.

Mark Yes or No for each of the following.

("He/She" refers to your spouse, partner, ex-spouse, ex-partner, or whoever is currently physically hurting you.)

1. Has the physical violence increased in severity or frequency over the past year?
2. Does s/he own a gun?
3. Have you left her/him after living together during the past year?
 - a. (If have never lived with her/him, check here ___)
4. Is s/he unemployed?
5. Has s/he ever used a weapon against you or threatened you with a lethal weapon?
 - a. (If yes, was the weapon a gun? ____)
6. Does s/he threaten to kill you?
7. Has s/he avoided being arrested for domestic violence?
8. Do you have a child that is not his?
9. Has s/he ever forced you to have sex when you did not wish to do so?
10. Does s/he ever try to choke you?
11. Does s/he use illegal drugs? By drugs, I mean "uppers" or amphetamines, speed, angel dust, cocaine, "crack", street drugs or mixtures.
12. Is s/he an alcoholic or problem drinker?
13. Does s/he control most or all of your daily activities? (For instance: does s/he tell you who you can be friends with, when you can see your family, how much money you can use, or when you can take the car)?
 - a. (If s/he tries, but you do not let her/him, check here: ____)
14. Is s/he violently and constantly jealous of you?
 - a. (For instance, does s/he say, "If I can't have you, no one can."?)
15. Have you ever been beaten by her/him while you were pregnant?
 - a. (If you have never been pregnant by him, check here: ____)
16. Has s/he ever threatened or tried to commit suicide?
17. Does s/he threaten to harm your children?
18. Do you believe s/he is capable of killing you?
19. Does s/he follow or spy on you, leave threatening notes or messages on answering machine, destroy your property, or call you when you don't want her/him to?
20. Have you ever threatened or tried to commit suicide?

Total "Yes" Answers _____

XII. CONFLICT TACTICS SCALE (CTS-2)⁴

Note to Advocates and Attorneys: Domestic violence serves as the basis for all VAWA and many U visa cases. The following questions will help you gain important information about the full range of abuse occurring in the domestic violence, child abuse or elder abuse relationship. In some U visa cases based on sexual assault, trafficking or other crimes these questions could also assist you in obtaining more complete information about the abuse that was occurring that should be included in the victim’s application.

Script: No matter how well a couple gets along, there are times when they disagree, get annoyed with each other, want different things from each other, or just have arguments or fights. I’m going to list some things that might happen when you have differences with your partner. For each thing, tell me how many times your partner did these things in the last year:

In the last year...	1-2 times	3-10 times	10+ times	Happened, but not in last year	Never happened
S/he grabbed me					
S/he pushed me					
S/he threw something at me that could hurt					
S/he slapped me.					
S/he twisted my arm					
S/he pulled my hair					
S/he kicked me					
S/he beat me up					
S/he punched or hit me with something that could hurt					
S/he slammed me against the wall					
S/he choked me					
S/he burned me on purpose					
S/he used or told that s/he would use a knife or gun					
S/he used physical force against me when I was pregnant					
S/he forced me to have sex					
S/he refused to wear a condom during sex					
I had sex with him/her because I was afraid of what s/he would do if I didn’t					
I felt physical pain that still hurt the					

⁴ Straus, M.A.; Hamby, S.L.; Boney-McCoy, S.; and Sugarman, D.B. The Revised Conflict Tactics Scale (CTS2): Development and preliminary psychometric data. *Journal of Family Issues* 17(3):283-316, 1996.

next day because of his/her					
I had a bruise or cut because of his/her abuse					
I passed out from being hit so hard by him/her					
I had a broken bone from his/her abuse					
I went to the doctor because of his/her abuse					
I have permanent scars because of his/her past abuse					
I have physical health problems now because of his/her abuse					
I have emotional problems now because of his/her abuse					

XIII. PSYCHOLOGICAL MALTREATMENT OF WOMEN INVENTORY (PMWI)⁵

Note to Advocates and Attorneys: For VAWA cases this list of questions will assist you in building the extreme cruelty part of your client’s application. For U visa cases these questions will help you collect evidence to help prove substantial harm, domestic violence, stalking and other criminal activities. In addition it is important to remember that under the U visa regulations the perpetrator’s actions can in and of themselves be sufficient to prove substantial harm. These questions can help you build that part of your client’s U visa case.

Script: Now, I’m going to read you statements about things your partner may have done to you in the last year. For each statement, point to the place on the scale that shows how often the event occurred in the last year.

In the last year...	Never	Sometimes	Often	Very often
S/he called you a bad name, swore, yelled or screamed at you				
S/he treated you like less than s/he was				
S/he watched over your activities or insisted you tell him/her where you were at all times				
S/he used your money or made important financial decisions without talking to you about it				
S/he was jealous or suspicious of your friends				
S/he accused you of having an affair with another man/woman				

⁵ Richard M. Tolman, Ph.D., Psychological Maltreatment of Women (1995), <http://sitemaker.umich.edu/pmwi/home>.

S/he interfered with your relationships with family or community members				
S/he tried to keep you from doing things to help yourself (such as learning English, getting a job, exercising, etc.)				
S/he controlled your use of the telephone				
S/he told you that your feelings were crazy				
S/he blamed you for his/her problems				
S/he told you s/he would or actually took your children away				
S/he told you s/he would or actually threw or locked you out of the house				
S/he told you s/he would or actually locked you in the house or in a room in the house				
S/he told you s/he would take away or not give you money				
S/he told you s/he would or actually turned you in to immigration officials				
S/he told you s/he would or actually failed to file or withdrew immigration papers for you or your children				
S/he told you s/he would hurt you or your unborn child when you were pregnant				
S/he destroyed your property				

XIV. INTIMATE PARTNER VIOLENCE (IPV) COERCION MEASURE⁶

Note to Advocates and Attorneys : Research has found that identifying and measuring coercive control in intimate partner relationships provides more refined and accurate picture of the details of how power and control plays out in abusive relationships. Since domestic violence under immigration law is defined as “battering or extreme cruelty” and is more inclusive of a broader range of abusive behaviors than most state protection order and criminal domestic violence statutes, identifying coercive control in abusive relationships can be very useful in proving extreme cruelty for VAWA immigration cases. Similarly for U visa cases, proof of coercive control, provides evidence and details of substantial harm, how it is perpetrated and its effect on the victim.

This Intimate Partner Violence Coercion Measure aims to detect and measure the cycle of coercive control. In these situations--

⁶ Dutton et al., Intimate Partner Violence (IPV) Coercion Measure, (2006)

1. One party sets the stage for apprehension of impending violence against the other by
 - creating vulnerabilities,
 - exploiting existing vulnerabilities,
 - wearing down resistance, and
 - facilitating attachment.
2. Subsequently, the cycle of coercive control ensues, which consists of:
 - Coercive demand or expectation
 - Credible threat – meaningful and negative consequence for noncompliance and the likelihood that the consequence will be delivered (willing, able, ready)
 - Surveillance
 - Delivery of the threatened consequences

Appraisal or (Understanding) of IPV Coercion

Appraisal of IPV Coercion means understanding of the likelihood that one’s partner would or would try to deliver contingent and meaningful negative consequences for one’s noncompliance with demand or expectation. The language “*would or would try*” is important since the agent may try, but not succeed because of the target’s resistance – but its still coercion.

IPV Coercion is communicating the threat of a meaningful and credible negative consequence for noncompliance with a demand or expectation. IPV Coercion incorporates: 1) communication of demand or expectation, 2) communication of a contingent threat for noncompliance with the demand or expectation, and 3) credibly reasonable ability to carry out the threat.

Ask your client whether and the extent to which the following things are happening in the relationship.

If yes, ask the extent to which if your client did not do these things their partner would get back at them by doing something hurtful.

Personal Activities:

1. Not leave the house.
2. Not eat certain foods.
3. Sleep where he (or she) says.
4. Sleep when he (or she) says.
5. Wear (or not wear) what he (or she) says.
6. Bath or use the bathroom only when he (or she) says.
7. Not go places or do things on your own without him (or her) or someone else being there.
8. Not read, watch TV, listen to the radio, or use the internet.
9. Watch or read sexually explicit video or print material.

Support / Social life / Family

10. Not talk to friends or family members on the phone.
11. Not spend time with friends or family members.
12. Not talk to others in a social situation.

13. Not participate in church, school, or other community activities.
14. Not seek help from a counselor, clergy, case worker, advocate or other support person or helping professional.

Household

15. Take care of the house in the way he (or she) says.
16. Buy or prepare foods in the way he (or she) says.
17. Live where he (or she) says.

Work / Economic / Resources

18. Not work.
19. Have the kind of job he (or she) says.
20. Work how much he (or she) says.
21. Spend money or use credit cards only on things he (or she) says.
22. Not learn another language (English or other language).
23. Not go to school.
24. Not use the car or truck.
25. Not use or see the checkbook or other financial records.

Children / Parenting

26. Take care of children in the way he (or she) says.
27. Discipline children in the way he (or she) says.
28. Not make decisions concerning the children on your own.

Health

29. Not take certain medication or go to the doctor.
30. Not use birth control.
31. Have (or not have) an abortion.
32. Use drugs or alcohol.

Intimate Relationship

33. Have sex with him (or her) when he (or she) says.
34. Do sexual behaviors in the way he (or she) says.
35. Talk with him (or her) only when he (or she) says.
36. Spend time with him (or her) when he (or she) says.
37. Have sex with someone else when he (or she) says.
38. Not separate, leave the relationship, or get a divorce.

Legal

39. Do things that are against the law.
40. Be with him (or her) when he (or she) is doing things that are against the way (law?).

41. Carry a gun.

Follow-up Questions to Appraisal of IPV Coercion

Types of Expected Consequences for Noncompliance:

Which of the following specific types of consequences do you believe your partner would actually do (or try to do) in the future if you didn't do what he (or she) wanted?

1 = yes

2 = no

1. Emotionally hurt you.
2. Embarrass or shame you.
3. Emotionally hurt your children.
4. Emotionally hurt your friends or family members.
5. Not let you see or talk to others.
6. Reveal personal information about you to others (medical condition, sexual preference, past behavior).
7. Physically restrain you or lock you in the house or in a room.
8. Physically hurt you.
9. Kill you.
10. Physically hurt your children.
11. Kill your child.
12. Physically hurt a friend or family member.
13. Kill a friend or family member.
14. Not let you take medication.
15. Put you in a mental hospital.
16. Not let you see your children.
17. Take your children away from you.
18. Destroyed or took your property.
19. Cause you to lose your job.
20. Cause you to lose your housing.
21. Destroy you financially.
22. Destroy legal papers.
23. Threaten you with legal trouble.
24. Have you arrested.
25. Threat to have you deported.

Involvement of Third Parties:

Do you believe your partner would try to get any of the following people to help him (or her) do any of these hurtful things in the future?

- 1 = yes
- 2 = no

1. Police, prosecutor, judge, probation officer or someone else in the justice system
2. Minister, priest, rabbi, or other spiritual leader
3. Your partner's friend or family member
4. Your friend or family member
5. Doctor, nurse, counselor or someone else in health care
6. DHS-Immigration
7. IRS
8. Mafia
9. Other

Past IPV Coercion

Surveillance:

In The past, has your partner checked to see if you have done what he (or she) demanded or expected?

- 1 = yes
- 2 = no

(If yes)

Which of the following things did your partner do (or try to do) to check to see if you actually did what he (or she) wanted?

1. Called you
2. Check the car (odometer, where parked)
3. Asked children
4. Ask someone else (other than children)
5. Told you to report behavior to him (or her)
6. Used recorder
7. Checked clothing
8. Checked house
9. Didn't need to check, he said or acted like he (or she) just knew
10. Other

Prior Response to Coercion:

In the past, how often did you respond in the following ways to your partner's threat to do something hurtful if you didn't do what he (or she) demanded or expected?

- 1-Not at all or never

- 2-Infrequently or not very often
- 3-Sometimes
- 4-Often
- 5-All the time

1. Did what my partner wanted, even though I didn't want to
2. Told myself that I wanted to do what my partner wanted, even though I originally didn't want to
3. Did nothing
4. Told my partner I wasn't going to do it
5. Tried to talk my partner out of wanting me to do it
6. Resisted doing what my partner wanted by trying to buy time
7. Sought help from someone else to resist doing what my partner wanted me to do
8. Resisted doing what my partner wanted in some other way
9. Distracted my partner so he (or she) forgot about what he (or she) wanted me to do
10. Other

Specific Consequences for Prior Noncompliance with Coercion:

In the past, which of the following specific types of consequences did your partner actually do (or try to do) when you didn't do what he (or she) demanded or expected?

- 1 = yes
- 2 = no

1. Emotionally hurt you
2. Embarrass or shame you
3. Emotionally hurt your children
4. Emotionally hurt your friends or family members
5. Not let you see or talk to others
6. Revealed personal information about you to others (medical condition, sexual preference, past behavior)
7. Physically restrained you or locked you in the house or in a room
8. Physically hurt you
9. Tried to kill you
10. Physically hurt your children
11. Tried to kill your child
12. Physically hurt a friend or family member
13. Tried to kill a friend or family member
14. Not let you take medication
15. Put you in a mental hospital
16. Not let you see your children
17. Took your children away from you

- 18. Destroyed or took your property
- 19. Caused you to lose your job
- 20. Caused you to lose your housing
- 21. Destroyed you financially
- 22. Destroyed legal papers
- 23. Threatened you with legal trouble
- 24. Had you arrested
- 25. Threatened to have you deported

XV. INTIMATE PARTNER VIOLENCE (IPV) THREAT APPRAISAL & FEAR SCALE⁷

Note to Advocates and Attorneys: The following questions will be useful in VAWA self-petitioning cases providing important evidence about “extreme cruelty”. The victim’s appraisal of what is likely to happen to her in the future is founded upon the basis of coercion, threats, intimidation, isolation and the abuse she has experienced in the past. In VAWA cancellation and suspension cases this scale can contribute important information to prove “extreme hardship”. In U visa cases this scale provides information central to building your case for substantial harm, and obtaining inadmissibility waivers. All VAWA and U visa cases are forms of humanitarian relief, the following factors can be used to convince DHS that the risk of harm to your client is real. This can help obtain fee waivers and can help strengthen all aspects of the victim’s case in which the victim must convince DHS to exercise its discretion in the victim’s favor.

Script: I’m going to ask you how likely you think it is that your partner will do certain things in the next year. For each statement, point to the place on the scale between “Not At All” and “Definitely” that shows how likely you think it is that the event will happen. There is no right or wrong answer; just the way you feel. Do you have any questions before we begin?

In the next year, how likely do you think it is that your partner will...

	Not at all	Some Likelihood	High Likelihood	Definitely
Threaten to harm you physically				
Actually physically harm you				
Force you to have sex against your will				
Try to kill you				
Control or dominate you				
Embarrass you				
Take away your money				
Tell you s/he will physically harm someone you know, such as friends, co-workers, parents, etc.				
Actually physically harm someone you				

⁷ Dutton et al., Intimate Partner Violence (IPV) Threat Appraisal and Fear Scale, (2001).

know, such as friends, co-workers, parents, etc.				
Call immigration authorities to get you in trouble				
Call police to get you in trouble				
Throw or lock you out of the house or room				
Destroy your property or important documents				
Violate a protective order				
Track you down or find you				
Try to take away, get custody, or kidnap your child or children				
Not sponsor, petition for green card or visa for you or your children				

XVI. IDENTIFICATION OF TRAUMA RELATED DISTRESS⁸

Note to Advocates and Attorneys: VAWA cases are strengthened when the victim describes in her story not only the events that happened to her, but can also describe the effects that the battering or extreme cruelty had on her. The following questions help prove extreme cruelty, extreme hardship and substantiate evidence of battery, and the range of forms of physical and sexual violence occurring in the abusive relationship. In U visa cases, the following questions provide strong evidence of substantial harm as a result of victimization by the criminal activit(ies). These are items included in the list below are will help advocates and attorneys identify and describe trauma related distress more fully in the victim’s application for immigration relief.

Instruction to patient: Below is a list of problems and complaints that veterans sometimes have in response to stressful life experiences. Please read each one carefully, put an “X” in the box to indicate how much you have been bothered by that problem in the last month.

No.	Response:	Not at all (1)	A little bit (2)	Moderately (3)	Quite a bit (4)	Extremely (5)
1.	Repeated, disturbing, and unwanted memories of the stressful experience?					
2.	Repeated, disturbing dreams of the					

⁸ This list is being included to assist advocates and attorneys working with immigrant survivors in identifying trauma related distress factors that victims may have experience. This is taken from the PCL-5 (DCM –V). PCL-5 (8/14/2013) Weathers, Litz, Keane, Palmieri, Marx, & Schnurr -- National Center for PTSD. While the facts that this measure collects can be extremely helpful to VAWA, T and U visa immigration cases in a variety of ways, advocates and attorneys should not use this measure to make conclusions whether not a client has any particular mental health diagnosis. Only experienced mental health professionals are qualified to make mental health diagnoses. VAWA, T and U visa immigration cases are decided on the facts of the crime victimization and the effects on the victim; mental health diagnosis is not required. When persons other than mental health professionals attempt to draw conclusions as to mental health diagnosis based on this or any other measure incorrect diagnosis by untrained professionals can undermine credibility of the victim’s immigration case.

	stressful experience?					
3.	Suddenly feeling or acting as if the stressful experience were actually happening again (as if you were actually back there reliving it)?					
4.	Feeling very upset when something reminded you of the stressful experience??					
5.	Having strong physical reactions when something reminded you of the stressful experience (for example, heart pounding, trouble breathing, sweating)?					
6.	Avoiding memories, thoughts, or feelings related to the stressful experience?					
7.	Avoiding external reminders of the stressful experience (for example, people, places, conversations, activities, objects, or situations)?					
8.	Trouble remembering important parts of the stressful experience?					
9.	Having strong negative beliefs about yourself, other people, or the world (for example, having thoughts such as: I am bad, there is something seriously wrong with me, no one can be trusted, and the world is completely dangerous)?					
10.	Blaming yourself or someone else for the stressful experience or what happened after it?					
11.	Having strong negative feelings such as fear, horror, anger, guilt, or shame?					
12.	Loss of interest in activities that you used to enjoy?					
13.	Feeling distant or cut off from					

	other people?					
14.	Trouble experiencing positive feelings (for example, being unable to feel happiness or have loving feelings for people close to you)?					
15.	Irritable behavior, angry outbursts, or acting aggressively?					
16.	Taking too many risks or doing things that could cause you harm?					
17.	Being “super alert” or watchful or on guard?					
18.	Feeling jumpy or easily startled?					
19.	Having difficulty concentrating?					
20.	Trouble falling or staying asleep?					

XVII. PATIENT HEALTH QUESTIONNAIRE (PHQ-9)⁹

Note to Advocates and Attorneys: The following questions provide an additional opportunity to learn how the battering or extreme cruelty and the criminal activities committed against your client affect her ability to function in her daily life. This can provide strong evidence of extreme cruelty in VAWA self-petitioning cases as well as evidence for fee and inadmissibility waivers, including the domestic violence victim waiver for good moral character purposes. In U visa cases these questions provide additional and powerful evidence of substantial harm that goes beyond physical injuries. This evidence is important for obtaining inadmissibility and fee waivers for U visa cases. In all cases this evidence and the evidence provided by the Trauma related Distress Checklist can provide evidence to secure fee waivers in applications for work authorization.

Over the last 2 weeks, how often have you been bothered by any of the following problems?
(use “X” to indicate the answer)

	Not at all	Several days	More than half of the days	Nearly every day
1. Little interest or pleasure in doing things	0	1	2	3
2. Feeling down, depressed, or hopeless	0	1	2	3

⁹ PHQ9 Copyright © Pfizer Inc. All rights reserved. Reproduced with permission. PRIME-MD ® is a trademark of Pfizer Inc. This list is being included to assist advocates and attorneys working with immigrant survivors in identifying symptoms of distress or depression that may have experienced. While the facts that this measure collects can be extremely helpful to VAWA, T and U visa immigration cases in a variety of ways, advocates and attorneys should not use this measure to make conclusions whether not a client has any particular mental health diagnosis. Only experienced mental health professionals are qualified to make mental health diagnoses.

3. Trouble falling or staying asleep, or sleeping too much	0	1	2	3
4. Feeling tired or having little energy	0	1	2	3
5. Poor appetite or overeating	0	1	2	3
6. Feeling bad about yourself – or that you are a failure or have let yourself or your family down	0	1	2	3
7. Trouble concentrating on things, such as reading the newspaper or watching television	0	1	2	3
8. Moving or speaking so slowly that other people have noticed. Or the opposite – being so fidgety or restless that you have been moving around a lot more than usual	0	1	2	3
9. Thoughts that you would be better off dead or of hurting yourself	0	1	2	3
	Add columns:			
	Total:			
10. If you checked off any problems, how difficult have these problems made it for you to do work, take care of things at home, or get along with other people?	Not difficult at all ____ Somewhat difficult ____ Very difficult ____ Extremely difficult ____			

XVIII. STRESSFUL LIFE EVENTS SCREENING QUESTIONNAIRE (SLESQ)¹⁰

The SLESQ is helpful to uncover multiple types of trauma exposure. Let the client know that the following questions refer to events that may have taken place at any point in his/her entire life, including early childhood. If an event or ongoing situation occurred more than once, please record all pertinent information about additional events. **FIRST, go through the events and simply ask the Yes/No question as to whether the events have occurred. SECOND, make a reasoned decision as to whether for questions answered “yes” greater detail is necessary and important for the application. If so, follow the prompts to record detail.**

Note to Lawyers and Advocates: The following questions can provide information that in VAWA cases may provide additional evidence of battering or extreme cruelty. In U visa cases the information gathered below could provide helpful information for substantial harm and inadmissibility waivers. These questions may also in both VAWA and U visa cases uncover additional incidents of abuse or criminal activities that will strengthen your VAWA or U visa case.

¹⁰ Goodman, L., Corcoran, C., Turner, K., Yuan, N., & Green, B. (1998). Assessing traumatic event exposure: General issues and preliminary findings for the Stressful Life Events Screening Questionnaire. *Journal of Traumatic Stress, 11*(3), 521-542.

yes	no	Trauma Question	Prompts for More Detailed
		1. Have you ever had a life-threatening illness?	<ul style="list-style-type: none"> • If yes, at what age? • Duration of Illness • Describe specific illness
		2. Were you ever in a life-threatening accident?	<ul style="list-style-type: none"> • If yes, at what age? • Describe accident • Did anyone die? Who? (Relationship to you) • What physical injuries did you receive? • Were you hospitalized overnight?
		3. Was physical force or a weapon ever used against you in a robbery or mugging?	<ul style="list-style-type: none"> • If yes, at what age? • How many perpetrators? • Describe physical force (e.g., restrained, shoved) or weapon used against you • Did anyone die? Who?_ • What injuries did you receive? • Was your life in danger?
		4. Has an immediate family member, romantic partner, or <u>very close</u> friend died because of accident, homicide, or suicide?	<ul style="list-style-type: none"> • If yes, how old were you? • How did this person die? • Relationship to person lost • In the year before this person died, how often did you see/have contact with him/her? • Have you had a miscarriage? If yes, at what age?
		5. At any time, has anyone (parent, other family member, romantic partner, stranger or someone else) ever <u>physically forced</u> you to have intercourse, or to have oral or anal sex against your wishes, or when you were helpless, such as being asleep or intoxicated?	<ul style="list-style-type: none"> • If yes, at what age? • If yes, how many times? • If repeated, over what period? • Who did this? (Specify stranger, parent)
		6. Other than experiences mentioned in earlier questions, has anyone ever touched private parts of your body, made you touch their body, or tried	<ul style="list-style-type: none"> • If yes, at what age? • If yes, how many times? • If repeated, over what period?

		to make you to have sex against your wishes?	<ul style="list-style-type: none"> • Who did this? (Specify sibling, date, etc.) • What age was this person? • Has anyone else ever done this to you?
		7. When you were a child, did a parent, caregiver or other person ever slap you repeatedly, beat you, or otherwise attack or harm you?	<ul style="list-style-type: none"> • If yes, at what age • If yes, how many times? • If repeated, over what period? • Describe force used against you (e.g., fist, belt) • Were you ever injured? If yes, describe • Who did this? (Relationship to you) • Has anyone else ever done this to you?
		8. As an adult, have you ever been kicked, beaten, slapped around or otherwise physically harmed by a romantic partner, date, family member, stranger, or someone else?	<ul style="list-style-type: none"> • If yes, at what age? • If yes, how many times? • If repeated, over what period? • Describe force used against you (e.g., fist, belt) • Were you ever injured? If yes, describe • Who did this? (Relationship to you) • If sibling, what age was he/she • Has anyone else ever done this to you?
		9. Has a parent, romantic partner, or family member repeatedly ridiculed you, put you down, ignored you, or told you were no good?	<ul style="list-style-type: none"> • If yes, how many times? • If repeated, over what period? • Who did this? (Relationship to you) • If sibling, what age was he/she • Has anyone else ever done this to you?
		10. Other than the experiences already covered, has anyone ever <u>threatened</u> you with a weapon like a knife or gun?	<ul style="list-style-type: none"> • If yes, how many times? • If repeated, over what period? • Describe nature of threat • Who did this? (Relationship to you) • Has anyone else ever done this to you?
		11. Have you ever been present when another person was killed? Seriously	<ul style="list-style-type: none"> • If yes, at what age? • Please describe what you witnessed

		injured? Sexually or physically assaulted?	<ul style="list-style-type: none"> • Was your own life in danger?
		12. Have you ever been in any other situation where you were seriously injured or your life was in danger (e.g., involved in military combat or living in a war zone)?	<ul style="list-style-type: none"> • If yes, at what age?
		13. Have you ever been in any other situation that was extremely frightening or horrifying, or one in which you felt extremely helpless, that you haven't reported? <i>The interviewer should determine if the respondent is reporting the same incident in multiple questions, and should record it in the most appropriate category.</i>	<ul style="list-style-type: none"> • If yes, at what age? • Please describe