

Published on *World Affairs Journal* (<http://www.worldaffairsjournal.org>)

[Home](#) > Unamerican?: The Fate of Deported Non-Citizen Criminals

## Unamerican?: The Fate of Deported Non-Citizen Criminals

Katya Cengel



They are not the most sympathetic characters. Veasna Sany goes by her former gang name “China.” She has been convicted of possession and sale of cocaine, battery, and prostitution. Gnan “Mikki” Kroeung’s convictions include terrorist threats and possession of a firearm. “Pich,” a former methamphetamine addict, was caught engaging in credit card fraud.

They all served time in US prisons and would now be home with their families in Philadelphia and Long Beach—if they were American citizens. But they aren’t. They are legal permanent residents of the United States who have been deported to Cambodia, a country their parents fled before they were born.

Facing increasing criticism for the high number of deportations under his leadership, President Obama agreed in March to re-examine the issue. Most discussions of the topic focus naturally on illegals from south of the border. But ten percent of all those deported each year are legal permanent residents, according to the Immigration Policy Center, the research branch of the Washington-based American Immigration Council. Concrete information about which groups will be included in the review is hard to come by, and it is not clear whether this group will be included or not. They are most often deported not for immigration infractions, but for committing crimes for which they have already served time. While the sentences can vary—five years, ten years, life—realistically they are all the same because unless the law changes none can return to the US.

Among this group are young Cambodian men born amidst strife in Southeast Asia, raised in American inner cities, and then sent back to the country their families fled. But of the roughly four hundred US legal permanent residents of Cambodian heritage deported following criminal convictions, around a dozen—including Sany, Pich, and Kroeung—are women.

There is no way to sugarcoat their stories. When I called Sany to arrange a meeting in the Cambodian capital of Phnom Penh, she asked if I would pay her for the interview. When I said I wouldn't, she stopped returning my phone calls and text messages. When I met Kroeung, who is thirty-four, she immediately launched into a sob story about how she needed bus money to return home to her children in the provinces. I later learned she was living in the city and left the care of her child to distant family members.

Pich, thirty-one, was the only one who asked for nothing except that I use her nickname because she is attempting to put her criminal past behind her. She was also the only one of the three with a job—working in retail, as she had been when she was deported in 2011. She was off meth then and had a young son—details that, according to international human rights standards, should have been mitigating factors for immigration authorities. These standards state that the deportation of legal permanent residents is a serious action that should only be undertaken after careful consideration of the way it will affect the deportees' human rights. Human Rights Watch argued in a 2009 report titled "Forced Apart (By the Numbers)" that this means non-citizens must be given a hearing that allows the court to consider arguments against the deportation, including a non-citizen's right to continue to live with close family members.

But the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 runs counter to such recommendations. The act both expanded the list of deportable offenses and took away some of the power of immigration judges to review and in some cases prevent deportations. According to the Human Rights Watch report, more than three-quarters of the legal permanent residents deported between 1997 and 2007 had been convicted only of nonviolent crimes.

Grace Meng, a researcher for the US Program at Human Rights Watch working on a follow-up report, said that efforts to revise the law were derailed by increased anti-immigration sentiment following the events of 9/11: "I think it's a really interesting and troubling aspect of immigration law and would love to see more discussion on it."

Under Khmer Rouge rule in the late 1970s, millions of Cambodians were forced from Phnom Penh and other cities to the countryside to work in agriculture. Pol Pot and his Marxist cronies wanted to create a rural, classless society. Money and traditional Khmer culture were abolished, and schools and pagodas were turned into prisons and reeducation camps. Those not considered "pure" were executed. Those that could fled the country.

After losing her parents and sister, Pich's mother ended up in a Thai refugee camp. She was one of the lucky ones who was later resettled in America along with Pich, who was born in the refugee camp. They arrived with heavy baggage, suffering from severe psychological and emotional trauma from living both under the Pol Pot regime and in refugee camps.

A 2010 report by the Fordham Law School Leitner Center for International Law and Justice titled

“Removing Refugees: US Deportation Policy and the Cambodian-American Community” found that the bulk of Cambodian refugees came to the US after the fall of the Khmer Rouge in 1979. In general they were poorly educated farmers who needed more help than preceding Southeast Asian immigrants, but received less as a result of an economic downturn and a new emphasis on preventing government dependency.

Tracy Harachi, a Seattle-based social worker who has studied Cambodian youth, found that they had more trouble adjusting to life in America than their Vietnamese counterparts, with higher dropout and criminal detention rates: “If you look at the population of the Cambodian community, it is . . . typically resettled in sort of what one would term ghetto area often with a parent who has mental illness or is severely depressed.”

Cambodians also lagged behind the Vietnamese in securing citizenship, a lengthy and costly process that did not seem terribly important before the deportations.

“These are people who are completely shaped by their time in the States, good or bad,” says Bill Herod, a longtime resident of Cambodia who has worked with the deportees since the first one arrived in Cambodia.

“And if they’re drug addicts, or got addicted in the States, and they were in gangs in the States, it’s because of the failure of refugee resettlement programs in the United States.”

Ira Mehlman, spokesperson for the Federation for American Immigration Reform, which favors tougher immigration policies, sees it differently: “There are millions and millions of people out there who would love the opportunity to come to the United States and contribute to this country. The idea that we are going to allow people who have come here and committed crimes, whether they’re violent or nonviolent, to remain, it’s simply objectionable.”

But there’s one problem in sending these Cambodian Americans back: There is no back, because most of them had never been in Cambodia before.

“I didn’t know anything so I felt like I was sentenced to death row,” said Kroeung of her 2010 deportation. She has been in Cambodia for almost four years now but still refers to Philadelphia as home. She has three teardrop tattoos near her right eye and talks and dresses like an American, in a “hoodie” and jeans.

The first deportees received scant help for their culture shock when they began arriving in 2002. Herod was one of the first to help resettle them. Several reinventions later, the organization he established is known as Returnee Integration Support Center (RISC). The center, based in Phnom Penh, does its best to help deportees secure housing, employment, and identification. While most can speak Khmer, the local language, few can write it. Some aren’t even literate in English. As a group, they have high rates of depression and substance abuse.

For the women, confronted with demeaning gender stereotypes, it is even harder. In Cambodia, Herod said, if a woman isn’t married by her mid-twenties, people wonder why. Anida Yoeu Ali, a Cambodian American artist living in Phnom Penh, adds that “good girls” don’t go out at night and

outspoken women are not always appreciated.

Cultural differences that the deportees perceive as intrusive are the main reason most only stay with their relatives a few months, said Keo Sarith, co-director of RISC. The majority of the relatives live in the countryside, further isolating the deportees. A female deportee cited in the Leitner report said she was unable to find feminine hygiene products in her village and was assaulted twice. Another was locked in the house by relatives whenever they went out. They believed they were protecting the woman, and also protecting themselves from the wrath of their US relations should anything happen to her, said Harachi. The woman, understandably, felt trapped.

“It is not pleasant being a woman of any kind here,” said Harachi.

When Pich was living in the countryside with a distant aunt, she learned to cook breakfast and serve it to her nieces and the monks who came every morning. She also learned to wash clothes manually and cook with firewood and coal.

Kroeung was shocked to discover her relatives did not have electricity, showered outside under a tank, and drank rainwater.

“I was like, I don’t drink that kind of water and I don’t eat rats,” she said. “I don’t eat dogs. I don’t eat none of that.”

She married a local man the same year she arrived, and they have a child together. She said she left him several months ago after he beat her and stole her motorbike. She is now six months pregnant and dating a fellow returnee.

Pich and Kroeung have faced difficulties from the beginning. Pich was raised mostly in Long Beach, California. After high school she got into meth, got pregnant, and was convicted of credit card fraud. She served a year in prison and then another nine months in immigration detention. Kroeung’s story of growing up in Philadelphia is even more disjointed. Both signed deportation papers because they wanted to get out of immigration detention.

In exchange for release from detention, they waived their right to a hearing before an immigration judge and the chance to appeal the judge’s decision. Called “stipulated removal orders,” the agreements are “advantageous to the government in that it relieves the immigration court of the need to have a hearing, saves ICE additional detention costs, and allows the individual to return to his/her country expeditiously,” wrote a US Immigration and Customs Enforcement (ICE) official.

Harachi admits that even if they had never left the US, the Cambodian deportees’ chances of success would have been slim. High recidivism rates mean many would have probably ended up back in prison or worse. But some no doubt would have managed to turn their lives around. By deporting them, she said, “you’re not giving them that chance.”

Many of the deportees had drug and alcohol problems prior to their deportation. Now lonely and depressed, the addictions haunt them more. Kroeung had a drinking problem in the US that has only worsened in Cambodia. Even Pich, tenuously successful in her efforts to adapt, admits to drinking too much on occasion. She does it to escape the loneliness of missing her family, which includes her son, now ten. As her mother's trauma of surviving the Khmer Rouge shadowed her childhood, now her trauma of deportation will haunt her son's. Her brother, Vearack Ung, a twenty-seven-year-old student in Long Beach, voiced his frustration in an e-mail to me: "She was on a straight path. She had a job, had her responsibilities, just like your average American, yet they take her away and send her to a place she has never been."

Of the women, Sany, who arrived back in Cambodia in 2004, has been here the longest. But whether they were banned for five or ten years or life, the result is the same. They are now Cambodian citizens, and their felony convictions present a hurdle to visiting the US, said Herod. Unless the law changes, "they can't ever return."

Before I leave Phnom Penh, I give Kroeung a few dollars for bus fare, not because I owe her or because I think she will actually spend it on the bus. But because she sounds and acts like dozens of other girls I went to high school with. And because she can't leave Cambodia and I can.

*Katya Cengel is a journalist and author. Her most recent book is [Bluegrass Baseball: A Year in the Minor League Life](#).*

**OG Image:**



More about:

[Asia Pacific](#) <sup>[1]</sup>,

[North America](#) <sup>[2]</sup>,

[China](#) <sup>[3]</sup>,

[US](#) <sup>[4]</sup>,

[Cambodia](#) <sup>[5]</sup>,

[United States](#) <sup>[6]</sup>,

[Barack Obama](#) <sup>[7]</sup>

**Source URL:** <http://www.worldaffairsjournal.org/article/unamerican-fate-deported-non-citizen-criminals>

**Links:**

[1] <http://www.worldaffairsjournal.org/world-news/region/asia-pacific>

[2] <http://www.worldaffairsjournal.org/world-news/region/north-america>

[3] <http://www.worldaffairsjournal.org/world-news/country/china>

[4] <http://www.worldaffairsjournal.org/world-news/country/us>

[5] <http://www.worldaffairsjournal.org/world-news/country/cambodia>

[6] <http://www.worldaffairsjournal.org/world-news/country/united-states>

[7] <http://www.worldaffairsjournal.org/world-news/people/barack-obama>