

SEATTLE POST-INTELLIGENCER

http://seattlepi.nwsource.com/local/74821_cambodia15.shtml

Tearful goodbyes before deportation to Cambodia

Saturday, June 15, 2002

By CHRIS MCGANN

SEATTLE POST-INTELLIGENCER REPORTER

It was a family reunion no mother, no sister, no brother would ever wish for.

But when word came down that Mao Chan was once again in Immigration and Naturalization detention and that this time he would be put on a one-way flight to Cambodia, they all traveled from Richmond, Va., to see him one last time.

Uncertain of when Chan would actually be deported, they delivered a small duffel bag packed with clothes, toiletries, family snapshots and a new pair of shoes -- all that he's allowed to take with him.

One by one, they walked into a noisy, partitioned room to see him, offer some worried, strained words of love and encouragement, then walked out into the drab waiting room at the INS detention center.

"At home I always have a lot to say," said Chan's sister, Ouk. But the noise and the glass between them and the worry left her at a loss for words, if not in tears.

Chan's mother, Yeng, carried the heaviest emotional burden. When she escaped Cambodia and Pol Pot's killing fields in 1979, she never wanted her family to have to return.

Mao was 8 when they arrived in the United States.

Thursday, the INS granted the family a "contact visit," allowing them to sit together and talk quietly.

"I told him I love him so much," Yeng Chan said. "And I miss him."

Worry showed on her face as she thought about what might await her son when he arrives in Cambodia. Media reports that Prime Minister Hun Sen will imprison the criminal deportees in a jail known for torture and other human rights violations exacerbates those fears.

"I'm not sure he'll get there safe," she said.

Chan will be among the first small group of Cambodian refugees who never gained U.S. citizenship, but who faced deportation because they committed "aggravated felonies" in the United States. The Cambodian government for decades had refused to accept the deportees, leaving 1,500 of them in legal limbo until March, when Cambodia reversed its policy.

The policy change has raised concerns with King County's 7,000-member Cambodian community, many of whom question the fairness of deporting young people who have little or no connection with that country or its culture.

Mao Chan said yesterday his biggest concern is what will happen to him upon his arrival.

"They might try to kill me or throw me in jail when I get there," he said, but hid any hint of distress that thought might hold for him.

Chan speaks Cambodian and says he thinks he'll be able to find a way to fit in.

"I think I'll be OK," he said.

The wide chasm that will separate him from his family appeared to be more troubling, though he remained remarkably upbeat through yesterday's awkward conversations.

"I told them I'll be OK, just don't worry about me," he said.

Convicted of several felony robberies, Chan could not have avoided the years in jail he's already served. But if he had become a U.S. citizen, he could have prevented his deportation.

Like many Cambodian refugees who came to the United States as children and quickly assimilated into the street culture of the poor neighborhoods where their families could afford to live, Mao Chan got into trouble with the law.

Which, federal officials are quick to point out, violates the rules that allowed them to take refuge here in the first place. But Chan said he never dreamed that his run-ins with the law would lead to deportation.

The thick tattooed lines that spell out "Khmer" jutted out from under his sleeve and an ironic grin crossed his lips when he said that he now wished he had become a citizen -- something he simply didn't think about before.

Advocacy groups say many of the refugees committed their crimes as juveniles and were little aware of the consequences of their crimes or the benefits of becoming a citizen.

But in 1996, a new federal law took away immigration judges' discretion in cases such as Chan's. "Right now there is no discretion whatsoever," Rep. Jim McDermott, D-Wash., said in dismay.

The legislation also defined offenses not considered felonies by most state and local governments, such as shoplifting, drunk driving and possession of marijuana as "aggravated felonies" punishable by deportation.

While there is little that can be done to prevent the half-dozen imminent deportations scheduled as early as next week, Congress is working on changes that might reduce deportations in the future. McDermott said a 1996 immigration law has prompted complaints that Cambodian and other immigrant refugees are treated unfairly. "You have a whole bunch of things that make this a terribly unfair situation, which I'm afraid the Immigration Department is going to use their full power and deal with these people," McDermott said.

A bill sponsored by Rep. Barney Frank, D-Mass., that targets some of the harshest aspects of the 1996 law has a chance of passage. It addresses the mandatory detention, retroactivity of the law and would return some discretion to immigration judges.

Meanwhile, Chan's younger brother Charlie, who was 7 the last time he saw Mao but who kept close contact by telephone, said the two of them never lost their sense of humor.

"We just joked around -- he told me how much this place (the detention center) sucked," said Charlie Chan, who remained upbeat at the reunion otherwise punctuated by tears.

"I think it's a free ticket to a new life. We wanted to stop this, but now we plan on him starting a new life," Charlie Chan said. "But I don't think they gave him a fair chance here."

© 1998-2002 *Seattle Post-Intelligencer*