



SEARAC

September 25, 2019

The Honorable Zoe Lofgren
Chair
Subcommittee on Immigration and
Citizenship
1401 Longworth HOB
Washington, DC 20515

The Honorable Andy Biggs
Ranking Member
Subcommittee on Immigration and
Citizenship
1318 Longworth HOB
Washington, DC 20515

RE: Statement for the Hearing Record for the House Judiciary Subcommittee on Immigration and Citizenship Hearing “The Expansion and Troubling Use of ICE Detention”

Dear Chair Lofgren, Ranking Member Biggs, and Members of the Subcommittee:

On behalf of the Southeast Asia Resource Action Center (SEARAC) and Many Uch, we thank you for the opportunity to submit this statement and the story of Many Uch for inclusion in the record for the hearing on “The Expansion and Troubling Use of ICE Detention.”

SEARAC is a national civil rights organization that empowers Cambodian, Laotian, and Vietnamese American communities to create a socially just and equitable society. As representatives of the largest refugee community ever resettled in the United States, SEARAC stands together with other refugee communities, communities of color, and social justice movements in pursuit of social equity.

Detention Harms Southeast Asian American Communities

Southeast Asian Americans are the largest community of refugees ever resettled in the United States. Many families relocated because of political, ethnic, and religious persecution from their countries of origin due to allyship with the United States during the Vietnam War and the Secret Wars in Laos and because of political upheaval in their home country as a partial result of U.S. foreign intervention in Cambodia and Laos.

However, during the resettlement process, these communities were often placed in high crime and high poverty communities with little support and few opportunities. To this day, Southeast Asian American communities continue to struggle economically and

educationally, with poverty and high school attainment rates similar to Black and Latinx communities.

Some individuals committed crimes or were involved in illegal activities, mistakes they have already served time for, before being detained in immigration detention, with some being eventually deported. To date, over 17,000 Southeast Asian Americans have been given a final order of removal; of these individuals, about 15,000 still live in the United States. Certain individuals have spent more time in Immigration and Customs Enforcement (ICE) detention than in prison because of mandatory detention laws. One SEARAC constituent, Lundy Khoy, was only in prison for two months before being released on good behavior, but was detained for nine months in ICE custody. Some Southeast Asian American immigrant detainees continue to suffer from mental health issues because of their detainment, with one person, Kunthy Nov from Washington state, suffering prolonged post-traumatic stress disorder from his detention.

Immigrant detentions not only harm a detained individual's own wellbeing but also negatively impact the lives of their families, including their spouses and children. As mentioned previously, many Southeast Asian American families already struggle financially. But immigrant detention in these communities often results in the detainment of one of two primary caregivers. When Jenny Srey's husband was detained in August 2016, her family lost a significant portion of their family's income. In addition to paying \$20,000 for attorney fees to release her husband from detention, her family also lost their health insurance despite the increased need for mental health services for both her and their two children.

Increased ICE detentions of Southeast Asian Americans harm entire families. Without concern for the detainment of primary caregivers and vulnerable populations, ICE continues to push already impoverished families further into poverty without consideration for the other consequences of their detention. Bills like the Dignity for Detained Immigrants Act that end mandatory detention and create proper alternative to detention (ATD) programs are necessary to prevent further harm in families suffering because their loved ones are in deportation proceedings.

The Story of Many Uch: The Effects of Indefinite Detention

Many Uch arrived in the U.S. as a refugee from Cambodia in 1984 when he was eight years old and settled into a Seattle-area public housing complex. At 14, he was swept up into a local gang with his peers, and in 1994, he was arrested for driving a car for some of his friends who had committed an armed robbery.

Many served 40 months in prison, where he grew up and transformed his life. Unfortunately, during this time in prison, Congress passed the Illegal Immigration and Immigrant Responsibility Act (IIRIRA) and other legislation that retroactively made Many's crime a deportable offense with no opportunity for relief. As soon as he was released, he was detained held by ICE and held in immigrant detention for an additional 28 months. Cambodia began accepting deportees from the U.S. in 2002, but with

hundreds of others on the list, it was impossible to know when he might have been deported.

There were two suicides during six months that Many was detained in the Seattle detention center. Many individuals didn't know if they would ever be released, including Many. His mother would inquire about when he'd be released, but he was never able to answer her. The uncertainty drove Many to begin considering self-deporting. Fortunately, he was eventually released. By that point, his mother just couldn't believe that he'd ever be release, and so she sent a family friend to pick him up instead of going herself.

Afterward, he devoted his life to helping other Cambodian youth avoid the mistakes he had made. He started by a Little League team in his neighborhood, and helped found founding the grassroots social justice group Khmer in Action to organize the community around the deportation issues affecting so many young men. Many speaks often at schools and youth groups about gang prevention.

Today, Many is married to a U.S. citizen and is raising two daughters, while he continues to work as a pivotal community activist and a national advocate for humane and fair immigration laws. On June 28, 2010, Washington Gov. Christine Gregoire pardoned Many's 1994 conviction. Fortunately, changes in post-conviction release laws in Washington State and sentencing reform in his county allowed Many to reduce his convictions to non-deportable misdemeanors, and ICE terminated his deportation case in May of 2019.

Conclusion

SEARAC is increasingly concerned about ICE's continued expansion of immigrant detention. The many Southeast Asian Americans our partners have worked with pose no harm to their communities and many have already turned their lives around. Congress must move forward with legislation that ends mandatory detention, decreases detention usage, and increases alternatives to detention. For any questions, please contact Kham S. Moua, SEARAC Immigration Policy Advocate at kham@searac.org.