

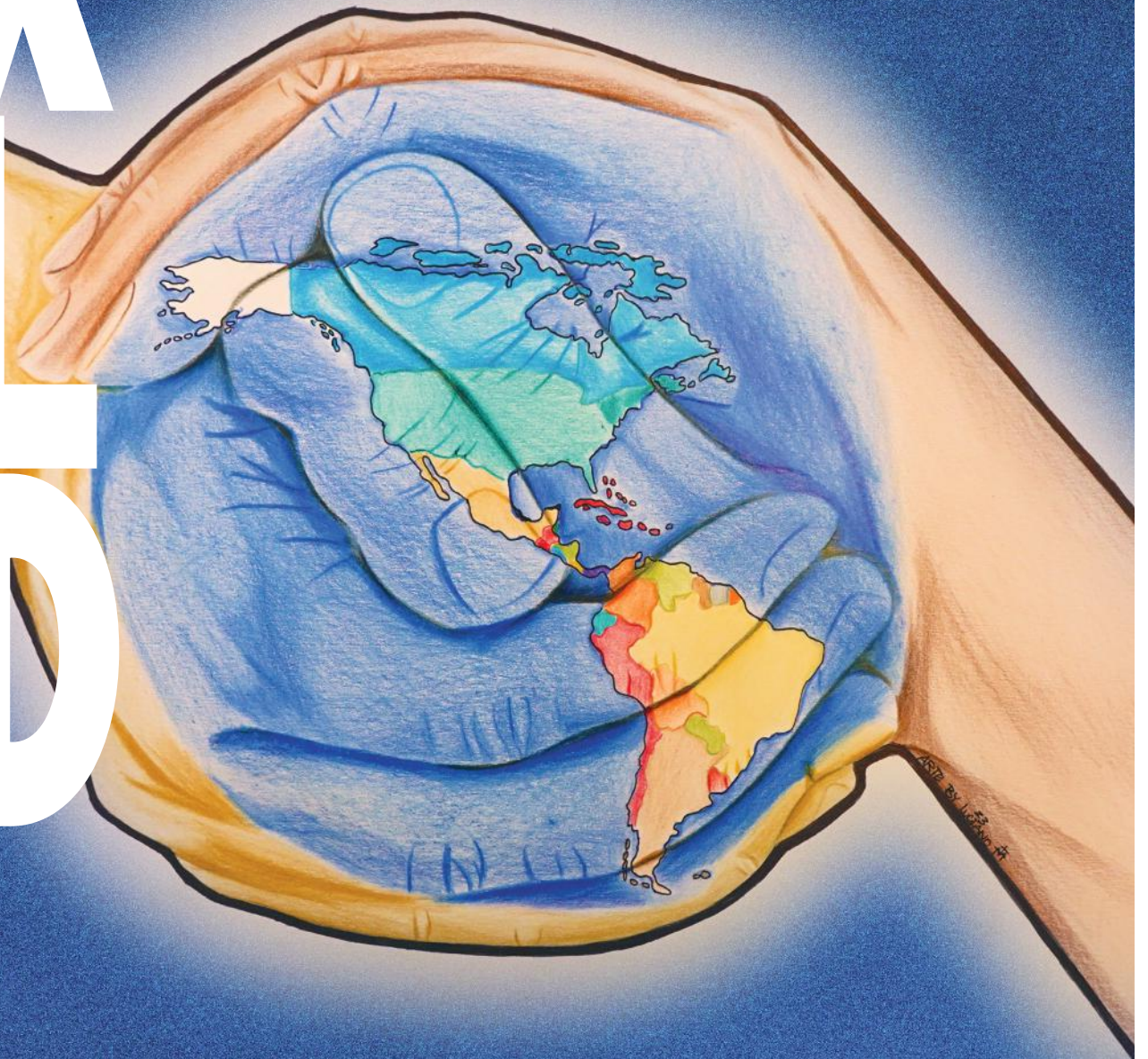
# WALL CITY

EN ESPAÑOL

SUMMER 2023 Volume 3 ■ Issue 1

A publication of San Quentin News

# EXILED



Unwanted by the only home they've ever known.  
Strangers in the land of their birth.



# THE VIEW

*Under a blazing sky, Tower 9 stands sentry over San Quentin State Prison, a facility in transition as California moves toward greater focus on educating and rehabilitating the incarcerated.*



Courtesy Kyle Runge



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*Americas Unidas*, by Luciano Borjas (2023)

"Anyone can be rehabilitated, no matter where they come from."

—Luciano Borjas

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*Wall City* magazine seeks to publish long-form stories to inform people outside prison walls about the lives of incarcerated men and women. In addition, incarcerated readers get news they can use to improve their lives and become better citizens.

*Wall City* informs readers to the value of providing rehabilitative services to incarcerated people. It seeks to advance social justice and public safety, which supports the public interest.

*Wall City* is funded entirely by the support of readers and generous grants from:



Fundraising and support efforts are provided by Friends of San Quentin News. FoSQN is an organization sponsored by the Social Good Fund, a non-profit, charitable organization recognized under Internal Revenue Code § 501(c)(3). Contributions may be tax deductible.



# EDITORIAL

## DEPORTATION: SHINING A LIGHT ON THE PLIGHT OF FOREIGN-BORN IMMIGRANTS BEING SHIPPED BACK TO UNKNOWN LANDS

BY EDWIN E. CHAVEZ



**I**N THIS ISSUE OF *WALL CITY EN ESPAÑOL*, we highlight the uncertain futures of 20,000-plus foreign-born people currently held in California prisons. Each year, a number of these individuals either reach the end of their determinate sentences, or are found suitable for release by the state Board of Parole Hearings. Many have spent decades behind bars, and are now facing deportation.

We hope to shed light on the predicament of those who came to U.S. as children, fleeing violence and chaos in their homelands, and now fear being forcibly returned to the dangers they escaped. They grew up as Americans. Often disconnected from their culture, their entire identities were born of America — the only place they've ever called *home*.

This issue also highlights the global roots of this deportation crisis. U.S. immigration policies have a similar impact on all deportees, no matter their country of origin. These policies separate families, and result in trauma, torture, and even the death of the deportee.

Human Rights Watch investigated the rape, murder, torture or disappearance of more than 200 deportees between 2013 and 2019 — *in El Salvador alone*.<sup>1</sup> This, in a country with no official tally, and little effort by authorities to investigate such claims, where crimes against humanity are committed as often by the authorities themselves as by the gangs who get the blame.

Many of the incarcerated have relentlessly

pursued rehabilitation in their quest for redemption. This begs the question: Why invest millions of taxpayer dollars in rehabilitative funding for incarcerated immigrants, rebuilding these men and women into powerful examples of change, only to literally toss out these investments?

This issue is very personal to me. I have been incarcerated nearly three decades, and I'm facing possible deportation to my "home" country, El Salvador — a nation where all human rights have been suspended *indefinitely*. Where people are imprisoned for decades without having committed any crime, or are subject to execution or disappearance.

I share the same fears and concerns as those reported on these pages. My brother, Gabriel, was transferred to an ICE Detention Center after serving 32 years, and is now awaiting a decision in his case. My eldest brother, Roberto, disappeared after being deported, and is presumed killed; his body has never been found.

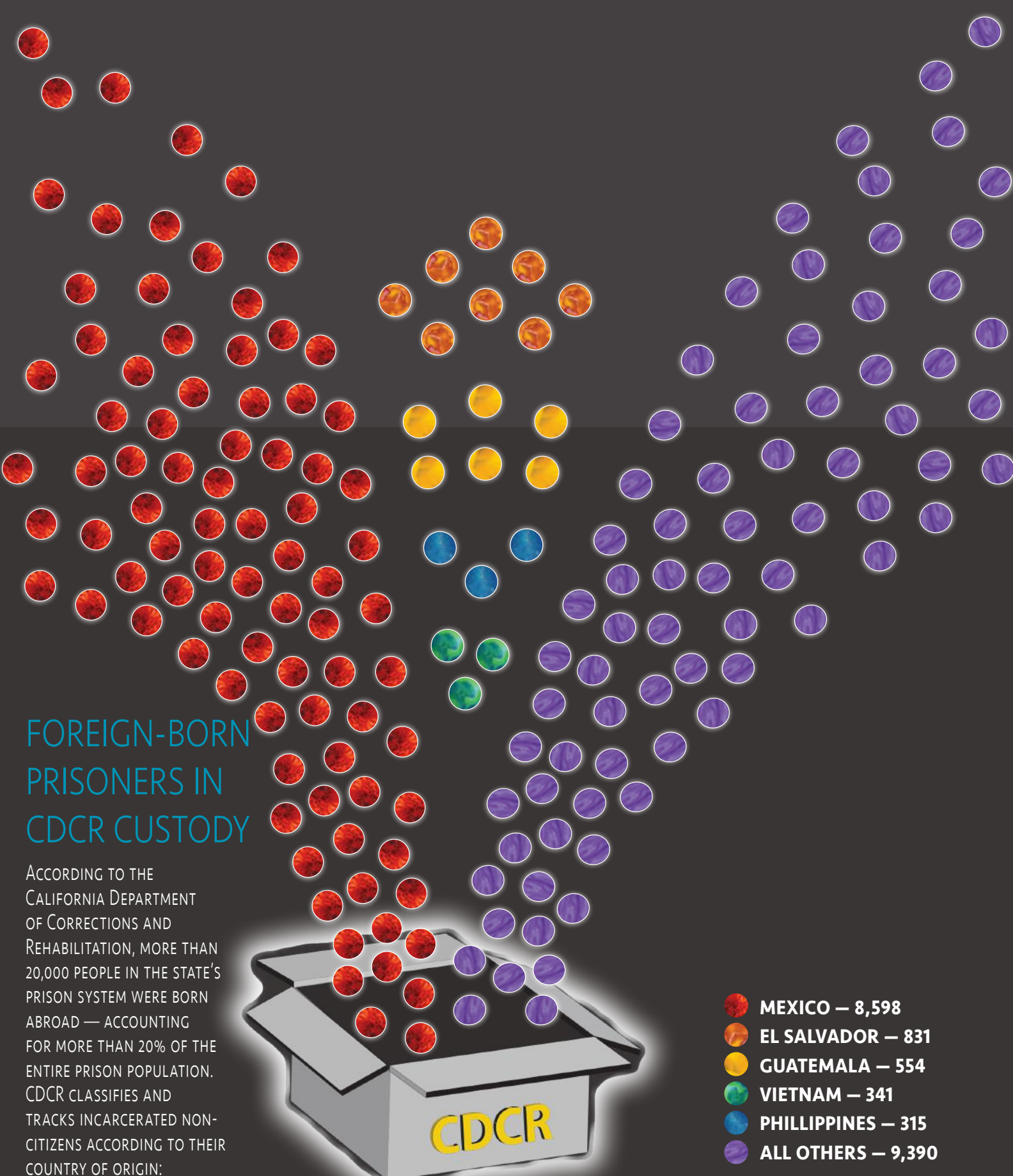
In California, a so-called Sanctuary State, it would be easy to cast stones at CDCR for their policies. So it must be said, California's prison system is doing nothing wrong; they are only following the law, which explicitly bars all law enforcement agencies *except* CDCR from cooperating with federal immigration authorities. There is hope on that particular horizon, however, as state lawmakers are currently working to close that loophole.

Let's keep our fingers crossed. 🙏

Phoenu You // SQNews

<sup>1</sup> *Deported to Danger: United States Deportation Policies Expose Salvadorans to Death and Abuse*, Human Rights Watch, 2020





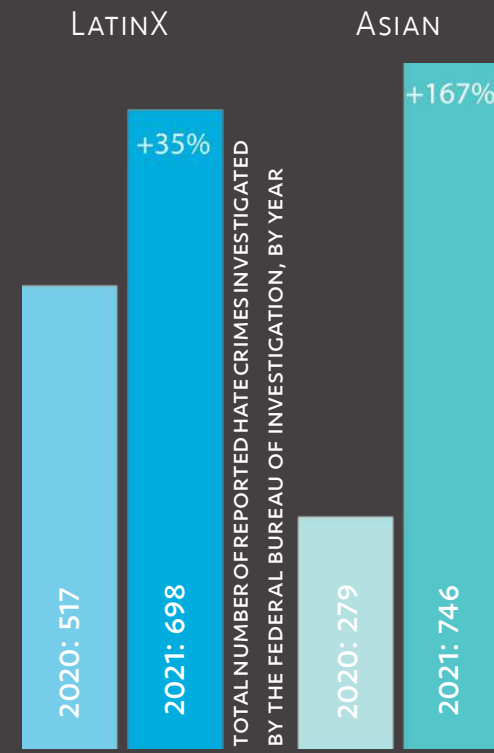
FOREIGN-BORN PRISONERS IN CDCR CUSTODY

ACCORDING TO THE CALIFORNIA DEPARTMENT OF CORRECTIONS AND REHABILITATION, MORE THAN 20,000 PEOPLE IN THE STATE'S PRISON SYSTEM WERE BORN ABROAD — ACCOUNTING FOR MORE THAN 20% OF THE ENTIRE PRISON POPULATION. CDCR CLASSIFIES AND TRACKS INCARCERATED NON-CITIZENS ACCORDING TO THEIR COUNTRY OF ORIGIN:

- MEXICO — 8,598
- EL SALVADOR — 831
- GUATEMALA — 554
- VIETNAM — 341
- PHILLIPPINES — 315
- ALL OTHERS — 9,390

SOURCE: California Department of Corrections and Rehabilitation: Offender Data Points as of Month-end June 2023

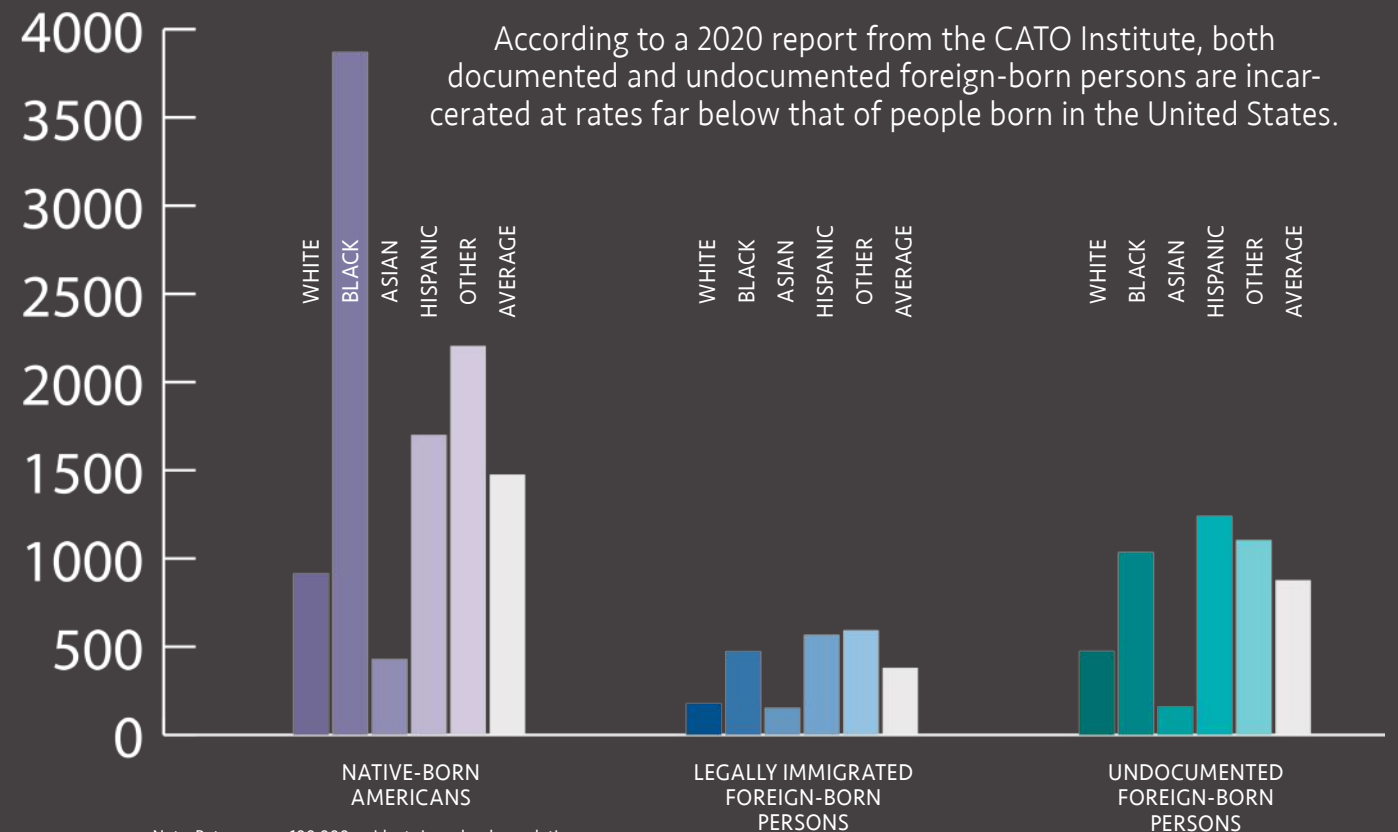
A RISE IN RACE-BASED HATE CRIMES...



RACE-BASED HATE CRIMES IN THE UNITED STATES HAVE RISEN IN RECENT YEARS, ESPECIALLY AGAINST HISPANIC AND ASIAN PEOPLE. THE FEDERAL BUREAU OF INVESTIGATION PUBLISHED A STUDY THAT REVEALED A 35% YEAR-OVER-YEAR INCREASE IN ANTI-LATINX HATE CRIMES, AND A WHOPPING 167% JUMP IN ANTI-ASIAN HATE, BETWEEN 2020 AND 2021.

SOURCE: Uniform Crime Reporting Program, the Federal Bureau of Investigation

...MAY BE DUE TO A MISPERCEPTION OF IMMIGRANTS. Trump-era rhetoric about foreign-born or undocumented persons and their propensity to commit crimes appears to have been unfounded.



According to a 2020 report from the CATO Institute, both documented and undocumented foreign-born persons are incarcerated at rates far below that of people born in the United States.

Note: Rates are per 100,000 residents in each subpopulation. SOURCE: CATO Institute, *Illegal Immigrant Incarceration Rates, 2010-2018; Demographics and Policy Implications*, By Michelangelo Landgrave and Alex Nowrasteh, 21 April 2020





# DERAILED

He swore his allegiance to the USA. Then addiction reared its ugly head.

BY WILLY ALARCÓN

**A** LARGE NUMBER OF THE AMERICAN military’s active service members and veterans are, surprisingly, foreign-born non-citizens who have served their adopted country faithfully, with courage and distinction.

Pedro Espinal is one of these, though the faithfulness this country showed him in return was cut prematurely short by his struggles with addiction.

Espinal came to the U.S. from the Dominican Republic at age 12, arriving legally and settling with his family in New York. Now 69, he has spent the last quarter-century in prison, but he has never fallen out of love with his adoptive country.

In 1974, after completing high school, he

found himself drawn to the United States Navy. Military service has long been a pathway to citizenship for those born abroad; but Espinal sought out the local recruiting office in search of something more.

“I’m in love with this country,” he said simply. “I have always been, [and] I felt like serving.”

He chose the Navy because he liked ships and the open sea. After completing basic seaman training, he was assigned to the *USS Long Beach* — America’s first nuclear-powered naval vessel — as a helmsman.

Surrounded by other young people, Espinal began doing what they did: a whole lot of off-duty drinking. With the insidious, creeping nature of addiction, Espinal soon

became an alcoholic.

His behavior resulted in his being discharged from the Navy under honorable conditions in 1975. Although it’s routine for servicemen to be dismissed from service, this ejection meant that Espinal was no longer eligible to become a naturalized US citizen. Espinal remembers enlisting in the armed forces as a pathway to citizenship.

“To ‘serve your country,’ you were swearing allegiance to this country, and you were eligible to be a citizen, but you had to apply when you got out.”

Now, pondering his changed circumstances, he felt dejected and cast out.

### RUDDERLESS

Espinal spiraled out of control, and found

◀ Under a lowering sky and in the shadow of the West Block facade, the Stars and Stripes of America the Beautiful hang from a rusting fence at San Quentin State Prison, where Pedro Espinal serves his sentence.

himself drinking to drown his failures.

Feeling peer pressure, he joined the party scene.

“Everyone was doing it,” Espinal recalls. “I was doing it with them: the parties, the women. I was caught up in that culture.”

Eventually, Espinal also became addicted to crystal meth. He began committing burglaries to feed his habit, feeling trapped and unable to stop.

Espinal’s world turned upside-down when he got in trouble with the law.

“I thought I was going to be given citizenship when I applied. Instead, when I committed my last crime, immigration came to inform me I had an [immigration] hold,” he reflected.

An immigration hold is a particular psychological hardship, says Espinal. It weighs on his mind around the clock, the worry becoming an ever-present companion. Deportation was on his horizon, even though the United States was the only country he’d ever known and loved.

### DOCKED & REHABILITATED

Espinal arrived to San Quentin and joined several groups offering helpful resources. He jumped at the opportunity to participate in these groups; they helped him recognize the root of his crime, and helped him to understand himself.

Now, Espinal’s goal became to serve his newfound community, especially helping to inspire younger SQ residents.

“I could be an adviser,” Espinal said thoughtfully, “[to] help the younger generation coming in to abstain from being such a drain on society.”

Speaking in SQ forums, Espinal also addresses another pandemic — the impact of drugs & alcohol. “Alcohol is not the answer,” he said.

### MENTAL HEALTH

Depressed and suffering the symptoms without help or guidance, for years Espinal was unaware that there was a name for his condition: Post-Traumatic Stress Disorder, or PTSD.

Arriving at San Quentin, he began

America’s modern military takes a much different approach to substance use among service members. A 2014 directive issued by the Department of Defense reveals a shift in priorities since Pedro Espinal was dismissed from service in the mid-1970s.

Had he been in the service today, Espinal would have been counseled and encouraged to seek treatment for his substance use disorder. He would have received that treatment as part of his TRICARE benefit, and following successful treatment and confirmed sobriety, he would have been returned to full duty.<sup>1</sup>

What was once called *addiction* is now recognized as Substance Use Disorder, a condition requiring treatment. These days, the military will reach out to service members battling substance use, doing whatever is necessary to support and restore that person to their former selves.



<sup>1</sup> Department of Defense Instruction, No. 1010.04, February 20, 2014, Incorporating Change 1, Effective May 6, 2020

to explore his issues through Veterans Healing Veterans, a group dedicated to addressing these common, service-related traumas.

“That’s how I came to realize I had PTSD,” Espinal reflected. “Until I joined that group, I only knew depression and stress.”

### CAST OUT

Although Espinal is not facing a death sentence, he’s facing a life-long struggle if deported.

Lowering his head, he lamented, “If I’m returned to my birth country, people will look down on me. They’ll say, ‘you went to the richest country in the world, and you went to prison? Please get away from me!’ People will want to brush me off.”

Being shipped off to his native Dominican Republic will be as turbulent

as the waters Espinal once navigated as a young Naval serviceman.

While Espinal doesn’t anticipate physical persecution, he expects to face severe economic hardship.

“I’ve worked in this country all my life,” he observed. “Before and after the Navy, I worked and paid taxes here. I would be able to ask for [government] assistance if I needed to, because I put in my time.”

He cannot imagine finding employment and making a living in the Dominican Republic.

Espinal is a senior citizen facing the dilemma of heading to a country that has become foreign to him, without connections or recommendations. Now, he is faced with assimilating to a new society, restarting his life.

“But I have so much to offer *this* country,” he said sadly. 🇩🇲

STATSDC // nou // SQNews  
Tony Singh // SQNews  
Phoenix You // SQNews





## CALIFORNIA'S PRISON CENSUS

*The American Civil Liberties Union says CDCR is keeping a list of foreign-born prisoners — and providing it to ICE*

BY SUNNI KHALID // KALW  
REPRINTED WITH PERMISSION

ACCORDING TO A COMPLAINT FILED BY THE ACLU Foundation of Northern California, the California Department of Corrections and Rehabilitation makes a list of all “foreign-born” people in its custody and refers the list to U.S. Immigration and Customs Enforcement (“ICE”).

The list does not exclude U.S. citizens (and other lawful U.S. residents). U.S. citizens included in the referral allegedly suffer discriminatory treatment (as compared to non-foreign-born U.S. citizens) in two general ways.

The first relates to so-called immigration “holds.” When a prisoner is not a U.S. citizen, ICE officials may request state prison officials to transfer custody of the prisoner to ICE at the end of his or her incarceration so that ICE can determine if the individual should be

deported.

When ICE makes such a request, CDCR officials place an “Actual Hold” on the prisoner while in state custody.

The complaint alleges that even when ICE has not made such a request, California prison officials place a “Potential Hold” on prisoners on the foreign-born list.

There are negative consequences to a prisoner during the period of incarceration if he or she is subject to either an Actual or Potential Hold. The complaint alleges that prisoners are denied housing and rehabilitation possibilities, as well as other prison benefits, based on being subject to a hold.

The complaint asks the court to declare the practice unlawful and prevent CDCR officials from continuing to follow it in the future.

San Quentin News archive image

## IMMIGRATION NOTIFICATION POLICY CHALLENGED

*Prisoners’ rights organizations, lawmakers take aim at current practice of notifying ICE when foreign-born prisoners are being released*

BY ANDREW HARDY

ORGANIZATIONS FROM ACROSS NORTHERN CALIFORNIA have set their sights on the state’s policy of notifying Immigration and Customs Enforcement when foreign-born prisoners are about to parole—including naturalized American citizens, according to a report by the Asian Law Caucus.

According to the ALC report:

The lawsuit alleges that CDCR’s policy of referring people to ICE based on national origin has led to many U.S. residents and citizens being investigated, detained, and put into the deportation pipeline based on false and racialized assumptions of individuals’ immigration statuses, in violation of the California Constitution’s equal protection clause and state anti-discrimination law. It has also resulted in peoples’ exclusion from rehabilitative programs that enable them to reduce their time in custody; alternative-to-custody programs; lower-security housing placements; and educational and vocational programs that help people transition back to their families and communities, in violation of the California Values Act.

The lawsuit was filed by Roth Chan, Anouthinh “Choy” Pangthong, and Northern California organizations the Asian Prisoner Support Committee and Root and Rebound.

Meanwhile, the California Legislature has undertaken measures to amend the California Values Act, which prohibits all law enforcement agencies in the state from providing an incarcerated person’s release information to ICE. The only law enforcement agency exempted from this law is the California Department of Corrections and Rehabilitation.

Under the HOME Act—California Assembly Bill 1306—the CDCR would be prohibited from detaining any person on the basis of an immigration hold, providing an immigration authority with release date information, or even responding to a notification request from ICE. The bill would also prohibit CDCR from transferring an incarcerated person to ICE, or assisting with a transfer request for anyone who is otherwise eligible for release, including youth offenders, elderly or medical parolees.

The HOME Act has not yet passed both houses of the California Legislature, and will not become law until it passes both houses and is signed by the governor.

Support the *San Quentin News* family of publications!



Information and knowledge are powerful tools in the rehabilitation of the incarcerated. The staff and contributors of *Wall City* magazine and *San Quentin News* hope to offer a peek at the truth that lives behind prison walls.

We seek out the issues that inform communities both inside and outside of the correctional environment, and publish stories that illustrate the struggles, the achievements, and the humanity of the incarcerated.

Our efforts pay great dividends. We promote literacy and education among prisoners, and offer incarcerated readers usable news that will enrich their lives. We contribute to the safety of society by emphasizing the rehabilitation of former offenders. And we give the greater public a glimpse of what life behind these walls looks like.

CHECK US OUT ON SOCIAL MEDIA!



*San Quentin News* and *Wall City* are written and produced by the incarcerated at San Quentin State Prison. We are entirely funded by grants from charitable foundations and the generous support of readers like you!

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# DEPORTATION DEATH SENTENCE

AFTER BEING FOUND SUITABLE TO REJOIN SOCIETY, HE FACES NEAR-CERTAIN DEATH IF DEPORTED

BY STEVE BROOKS

**G**ABRIEL CHAVEZ WAS SENT TO PRISON AT 17 YEARS old. Thirty-one years later — after laboring for years to rehabilitate and transform himself — the day arrived when he had at last earned release from his razor-wire world at Salinas Valley State Prison in California.

He was up before sunrise, taking a quiet moment to reflect upon his decades-long journey.

Gabriel came to the United States from El Salvador, a young impressionable kid all but alone in a new land. He searched for friends who spoke his language, and for a place to belong; he found these with the gangs. Emulating his new friends, he did what the gangsters did: hung out in the streets and got into criminal mischief, drugs, crime, and violence. He filled his body with tattoos and shaved his head. Coming from a country torn by violence and corruption, this wasn't so different from what he'd always known.

Eventually — predictably — loyalty to his gang led him to commit a terrible act of violence, to take the life of another person. Gabriel was sent to prison, a teenager consumed by remorse.

31 years later, the Board of Parole Hearings found him suitable for release. They meticulously evaluated his rehabilitative efforts, psychological profile, and letters of support and recommendation from people both inside and outside the prison. They questioned him for over two grueling hours, examining his life from one end to the other. And they found him suitable to return to society.

As Gabriel prepared to leave the prison, he reflected on his uncertain future—a future full of unknowns. After more than three decades inside, the world he knew wouldn't exist anymore. In the early 1990s, self-driving cars were nothing more than science-fiction. The internet was just a rumor, and cellular technology had to be carried around in a backpack. The world outside would be brand-new to him, but he would be returning to it brand-new person, too.

Gabriel rose and dressed in his prison blues. He placed his green prison ID card in the top pocket of his shirt. He gathered his only belongings — some paperwork, family photos, a few »

Courtesy María Elizabeth Hurren





## DANGER IN EL SALVADOR

**SOME PEOPLE DEPORTED FROM the United States to El Salvador face the same circumstances and abuse they left, often in the same neighborhoods they originally fled: gang members, police officers, state security forces, and perpetrators of domestic violence. Others worked in law enforcement in El Salvador and now fear persecution by gangs or corrupt officials...**

**According to the United Nations' refugee agency, the number of Salvadorans expressing fear of being seriously harmed if returned to El Salvador has skyrocketed. Between 2012 and 2017, the number of Salvadoran annual asylum applicants in the US grew by nearly 1,000 percent, from about 5,600 to over 60,000. By 2018, Salvadorans had the largest number (101,000) of any nationality of pending asylum applications in the United States.**

**At the same time, approximately 129,500 more Salvadorans had pending asylum applications in numerous other countries throughout the world.**

**People are fleeing El Salvador in large numbers due to the violence and serious human rights abuses they face at home, including one of the highest murder rates in the world and very high rates of sexual violence and disappearance.**

*EXCERPTED FROM: Deported to Danger: United States Deportation Policies Expose Salvadorans to Death and Abuse, Copyright © 2020 Human Rights Watch, pp 3, 4-5.*

memories and cosmetics — and left his cell for the final time.

### THE UNEXPECTED

A correctional officer escorted Gabriel to the facility's Receiving and Release department, where paroling prisoners are processed.

There, his heart sank into his shoes. Instead of being issued the civilian clothing his mother had shipped to the prison for his release, Gabriel was handed the tan pants and shirt given to prisoners facing deportation. He stared at the colorless, lifeless clothing, his mind slipping gears somewhere between incredulity and outright denial.

*How can this be happening?* he wondered. *After all this time and effort, everything that went into his metamorphosis, why now?*

Outside, his mother was waiting at the gates to embrace him. Crestfallen, she never got the chance.

Instead, a van was waiting to carry Gabriel just outside the prison, where Immigration and Customs Enforcement (ICE) agents were waiting to handcuff him and haul him away to a federal detention center to face the arduous deportation process.

From across a great and growing gulf, his mother tearfully watched her son be taken away.

Gabriel Chavez's first-ever airplane flight took him to an ICE detention center outside Tacoma, Washington. The plan — to send him back to El Salvador.

### DEPORTATION DEATH SENTENCE

In response to a surge in gang-related homicides, El Salvador's congress granted emergency powers to the country's president in 2022, suspending constitutional due process protections.

Those who merely appear to be gang members are subject to arrest and indefinite incarceration in the country's new 40,000-bed Terrorist Detention Center. You do not have to commit a crime to be arrested if you look like a gang member. Officers need no warrant. The only probable cause they need is that you have tattoos and a certain look, like a gang member.

"I know they're going to kill my son," Maria Elizabeth Hurren wrote to SQNews. "As a refugee fleeing his native country, the people will consider him a traitor."

She already lost one son — her first-born, Roberto — who was deported, then disappeared under mysterious circumstances. His body was never found; his wife was forced to flee and now lives in the United States.

The emergency powers were approved by Congress after President Nayib Bukele declared a state of emergency in response to the escalating violence. There have been 64,000 arrests since implementation. Arrests have been made without a warrant or a right to counsel. President Nayib Bukele announced on Twitter that a new mega prison would be the new residence for the alleged gang members, where they would be unable to cause further harm to the population. Images of accused gang members stripped down to white shorts and with their heads shaved, running through the new prison's corridors and into their cells are being displayed in the news. If Chavez goes back to El Salvador he will undoubtedly have to deal with the Salvadoran National Police.

"The tattoos I have are fading but it doesn't matter," Chavez wrote to SQNews. "Now I fear the death I used to be indifferent towards and its an accomplishment. I can feel empathy and compassion because of what I learned in an American prison. I wish to use that in a positive way. But for now I have to wait anxiously to see what I deserve."

### EL SALVADOR

As a child, Chavez traversed the undeveloped city of San Salvador with bare feet. Violence was everywhere. It was the early 1980s and there was a civil war going on in his homeland. At school, cannonfire and grenades from the warfare exploded outside the classroom door. Chavez's teacher, Ms. Yolanda, would instruct the class to duck under the desks as the tanks and grenades fired. Charred bodies full of bullet holes left in a nearby park left a traumatic impression on his young imagination.

Chavez remembers many sleepless nights marred by the sounds of gunfire. He remembers walking over dead bodies, and seeing graying brain matter drip from walls. He remembers how he couldn't escape the madness because he and his family were too poor. His mother, Maria, could barely care for him and his other

**A MOTHER'S LOVE:** For more than thirty years, Elizabeth Hurren's love has carried her son, Gabriel Chavez, through the trials of his incarceration, first as a reckless and troubled youth (left), through adulthood, and into maturity (far right). Now facing the dangers of deportation and an uncertain future, the only contact she can have with him is via video calls (center).

*Gabriel Chavez is not a well man. Nearing 50, Chavez's skull contains a titanium plate and screws after brain cancer treatment required aggressive surgical treatment. While in ICE detention, he wears a hand-crocheted knit cap to keep his head warm and protected. The resulting seizures and debilitating headaches are unlikely to receive medical attention in El Salvador, where he is likely to face persecution by gangs and federal authorities alike.*

*"I know they're going to kill my son," Hurren said. "As a refugee fleeing his native country, the people will consider him a traitor."*



siblings, Roberto, Marcos, Edwin, Ana and Amilcar. They survived by eating beans and tortillas. His father, Gabriel Eduardo Bolaños, was an alcoholic who used to take Chavez to job interviews and AA meetings. Chavez would sit and eat candy while his father either tried to get jobs or talked about his addiction. In 2006, his father got drunk and fell down, hitting his head on a rock. He died as a result. His mother remarried, but Chavez's stepfather used to spank and abuse him after he peed himself. He was also a drunk. Alcohol plagued his household and led to abuse. The only man Chavez remembers who treated him well was a light-skinned man with green eyes, a peddler who he referred to as "the Gringo." This man would take time to talk to Chavez and embrace him. But one day this gringo was also killed in a civil war. Chavez's mother knew that in order to survive, she had to get her family out of the country.

### AMERICA

In 1986 Chavez arrived in America. Knowing nothing but his own community, he hung out with the Latin boys which led him to gang life. As with most criminal street gangs from Los Angeles, he became involved in drugs, crime, and violence. Without his father or any other positive role

models, he eventually committed murder.

While incarcerated, Chavez took a look at himself. He took many self-help groups, facing his actions, learning about anger management, emotional intelligence and domestic violence. He learned vocational plumbing, painting, electronics and building maintenance. He stopped using drugs and alcohol and completed a drug program and PEER literacy mentor program. Chavez evolved into a man who could face his responsibilities and show his vulnerability. He could admit when he was wrong and even cry. He got away from gangs and changed his behavior and worked all the menial labor jobs he had too in prison, like in the prison kitchen.

In 2017 when family visiting was reinstated for lifers in California prison system, Chavez's mother and grandmother Eulalia "Lala" Chavez-Baires would drive hours to visit him. They started having overnight visits where they would cook and tell stories as a family, and follow along with Chavez's growth. His mother, 90-year-old grandmother and the family dog, Babushka, were where he sought

comfort. This connection and support was vital to helping him prepare for his reintegration into society. When he went before a board of parole committee, they found that he had the necessary insight to be successfully released back to society. They also found that he had sufficient parole plans and family support. They granted Chavez a parole date.

Chavez is much older than when he entered prison, and is sicker as well. He suffers from seizures and gets severe headaches. Screws were attached to his skull with a titanium plate after it was removed during brain cancer treatment.

Chavez worries that in El Salvador, he won't be able to get the medical attention he needs. He wants to stay in the country he knows, remain connected to his family, and continue on the path of growth he began while incarcerated.

"If people like Gabriel are released from prison based on rehabilitation, they should be allowed to stay in the country so that they can demonstrate that they can become productive residents," said his mother.

"The government should allow them to integrate back into society they know. If they are sent back to their country of origin, they are being sent to be butchered, to get executed like animals." 🙏





Escaping with his parents from a violent homeland, Cesar Leyva Olivera came to the United States as an infant and grew up without papers. He began working under the table as a young teenager to help support his family, and started working his way up

Then his mother died eight years ago, and the young man lost sight of his American Dream.

Dante D. Jones // SQNews

# A DREAM DEFERRED

ONE DREAMER'S FAITH WILL CARRY HIM THROUGH

BY RICHARD FERNANDEZ AND WILLY ALARCÓN

**A**N UNTOLD NUMBER OF BABIES and small children are saved each year from nightmarish and inhumane conditions in the nations of their birth, brought to the United States by parents, grandparents and other relatives driven to seek a better life in the fabled land of opportunity. Unlike their parents, who may never be able to forget what torment they fled from, these children often have no memory of the violence their families suffered or the risks undertaken to bring them here.

Yet as they grow older, some experience first-hand a new nightmare, admittedly one of their own making: Separation from their families, confinement in federal detention centers, and the looming spectre of deportation to a land they've never known.

There was supposed to be a glimmer of hope for "Dreamers," undocumented immigrants who arrived here as infants. Under the Obama Administration's *Deferred*

*Action for Childhood Arrivals* policy, eligible Dreamers were allowed to put off deportation indefinitely.

Cesar Leyva Olivera was a Dreamer whose dream died with his mother.

## FAMILY

The Olivera family left Mexico when Cesar was two years old. They carried little with them as they traveled north, settling in California. Their new home was a small, two-bedroom apartment in Santa Maria, a cramped but loving home accommodating all 10 members of the Olivera clan. Cesar's eldest sister, Maria, kept the family synchronized, preparing meals, making time for whoever needed her — all while keeping Cesar under her protective wing.

Cesar, the youngest Olivera, grew up with strong familial bonds. His father was a stoic







example of strength and duty; his mother was his source of tenderness and nurturing. His siblings followed these examples, and he strived to follow theirs.

Never one to shy away from physical labor, he took a job at a carwash at age 14. By 18, he ditched his under-the-table arrangement to work full-time, proudly becoming a dutiful taxpayer. As he grew from a teenager into a man, values common among immigrants took hold and began to set in concrete: Hard work, family, and faith.

But then the world shifted beneath his feet.

### Loss

Eight years ago, the Oliveras suffered the passing of Cesar's beloved mother, the family's emotional glue. And in the aftermath of the matriarch's death, his family began to fracture: Maria decided to return to Mexico while Cesar — dependent upon his elder sister for guidance and support — remained alone in the U.S.

Cesar took his mother's death especially hard.

"The way she passed away was very painful," he said quietly in an interview.

The truth of that simple statement was clearly evident in the lines of his face. Overcome even now with emotion, it was several moments before he was able to continue, but could say no more about his mother's passing.

The loss brought on severe depression that severely affected his mental and emotional states, destroying his drive and self-termination. He found himself unable to summon the strength to go to work, face his friends. It wasn't long before he lost his job, and his isolation only exacerbated an already bad situation.

### DESPERATION

"My mom was my motivation," Cesar reflected. And now she was gone.

With no income and little money to live on, it wasn't long before a sense of desperation set in. He foolishly cooked up a quick way to get some cash.

"I tried to rob a gas station," he shyly recalls. Even now, in the prison environment, he's an unimposing young man

with an easy smile, devoid of anything remotely intimidating. The attendant saw through his ruse and called his bluff, refusing to give him any money.

Looking back, Cesar chides himself, cracks a joke about Chihuahuas wanting to bark like big dogs.

Not knowing what else to do, he simply left the gas station, walking away. The police picked him up a few blocks away, walking with his head down and his hands stuffed in empty pockets. He was arrested for attempted robbery and took responsibility for his crime, pleading guilty, accepting an 18-month prison sentence — and was marked with an inerasable criminal record.

### REMORSE & REFLECTION

Cesar Leyva Olivera was paroled from San Quentin in May, but he was not released. Instead, he was turned over to the custody of federal Immigration and Customs Enforcement agents. His deportation followed in due course.

Before his incarceration, he had made up his mind to remain in the U.S. This was his home, after all. But, although he lived in this country more than three decades, he

never pursued citizenship.

Now, as a non-citizen with a serious felony conviction, his DACA protections were stripped away and he had no right to stay. In the months before completing his prison sentence, he spent many days and hours reflecting on his choices. He now sees how a dream can turn into a real vision of terror.

"I regret that one huge mistake!" he cried out during his interview. "It's costing me the opportunity to remain in this country, which is all I've ever known."

But he also finds fortitude and comfort in the strength of his mother's faith in God — a faith that she tried to instill in her children.

"Once again I failed," he says softly, talking to the spirit of his mother. "But you told me to reach out to God. I realize now that God is the only one who can really help me become a better person."

Olivera has done what he can during his relatively sentence. He successfully finished a transitional reentry program and participated in Prison Fellowship twice a week.

He hoped his sincere rehabilitative efforts were obvious, but knew it wouldn't sway his deportation.

"They won't let me stay here in the U.S.," he said. "But I know I can help my community because I am a better person now. I will continue to work hard every day."

But behind his brave façade, there were evident cracks of insecurity and fear.

Everyone fears deportation. The lack of money is already a struggle, but deportees aren't even permitted the scant \$200 release allowance every other parolee receives. Being in a foreign land with no way to secure a place to stay, or even buy food, means your very survival is in question.

Everyone fears being alone. Olivera doesn't know anyone where he'll be dropped off and he doesn't have any connections for work or shelter.

Everyone fears the cartel. He'll be empty-handed, broke and alone, making him an easy prey for the cartels and other opportunists who exploit people's needs as they are tossed over the border. He fears being caught up in any illegal activity.

But making the nightmare a little less bleak, Olivera has a few things working in his favor.

For one, he is bilingual.

"I hope that will be to my advantage," he said. "I plan to stay in an area where I can use my English to get a good job."

He realizes that the laws and customs are far different in Mexico from anything he's accustomed to.

He has plans to find and reconnect with his siblings in Mexico. But he knows resources are more limited down there.

"We're a poor family," he admits. "I won't be able to ask them for financial support."

If all else fails, there are programs that may offer the help he needs.

"I will try to go to programs that are available through 'sober living' in Mexico."

He's hoping that all these potential resources will be beneficial. But his real dream and longing is to stay in the U.S.

Today he is dreaming of a second chance — the kind only a pardon from the California governor will bring him. 🙏

Dante D. Jones // SQNews

## DACA SIMPLIFIED

*DACA was, in its simplest terms, a policy of delayed deportation established under President Barack Obama.*

*The Deferred Action for Childhood Arrivals immigration policy presented an avenue for undocumented immigrants brought to the U.S. as children to apply for temporary, two-year, renewable work permits.*

*DACA applicants had to meet a long list of eligibility requirements. Because the policy was designed for those brought into the country as children, it only applied to individuals who were under 16 years of age when they got here, had been here since before 2007, and were currently under 31 years old when applying. In addition, the applicant had to have completed high school, or be currently enrolled, or had received an honorable discharge from the military.*

*People were ineligible if they had any conviction for a felony or serious misdemeanor, or had three or more non-serious misdemeanor convictions. In addition, anyone considered a threat to national security was disqualified.*

*As he promised during his campaign, the DACA policy was effectively killed under former president Donald Trump on grounds that it was unconstitutional.*

*In 2020, President Joe Biden announced an executive order reinstating DACA. That attempt met failure, though, after federal Judge Andrew Hanen ruled in 2021 that DACA had been illegally implemented when Obama bypassed Congress to put it into effect.*

*That ruling ended the acceptance of applicants, but allowed undocumented immigrants previously accepted to keep their status and continue to apply for renewals.*

*Currently, there are calls to expand DACA protections for previously accepted immigrants to include children who arrived after 2010, the present cutoff date, and the children of adults who came legally. For the latter, their legal visa status expires when they reach age 21.*

—Randy Thompson



# VINIETAS

FOR MORE THAN 20,000 FOREIGN-BORN PERSONS incarcerated in California prisons, foremost in their minds is what will happen when they reach the end of their sentence and expect to be turned over to Immigration and Customs Enforcement for deportation proceedings. We asked a few undocumented San Quentin residents:

## WHAT HARDSHIPS WILL YOU FACE IF DEPORTED?



I arrived in this country from an early age — though I came illegally. Sadly, I committed an error that has cost me dearly. If I'm deported, I am at risk to relive the violence at the hands of the government. My true fear is to be deported — and lose my life.

I'm rehabilitating, but with deportation I will continue to be stigmatized and singled out by the authorities. I was never part of the "Maras" (Salvadorian gangs), but death follows me nonetheless.

I'm afraid of the harm from both the gangs and the government, from the moment I get off the plane.

I don't agree with El Salvador's suspension of human rights. The president has to recognize that we are all human.

I also wish that the U.S. government would consider granting me a second opportunity, a viable solution, before reaching the conclusion of deportation. But above all, I recognize that I'm in God's hands and not the government's.

—Wilmer Arriola Martínez (El Salvador);  
Uses his love of futbol as a way to connect with and encourage his community



I was born in Tijuana, Mexico, but my mind is that of a Californian. I have lived all my life in California, and never went back to Tijuana.

Mexico is dangerous, especially when you have no one to support you. My mother cannot return to Mexico and visit, because she's undocumented. I ask myself, "What am I going to eat? Where am I going to live?"

**It's like being in darkness**, not knowing what may happen.

—Alfonso Landa (Mexico);  
Works tirelessly in San Quentin's law library, helping his peers to access and understand the legal system.

I would be forced to go back to a past I left behind: Poverty, inequality, government corruption, gangs — and living in the street.

I returned to El Salvador during the "peace accords;" it wasn't the same, a simple people, hardworking and peace-loving. I only saw people with shaved heads and tattoos. I fell in with the gangs, and today I'm considered a "representative" of that violence.

But I'm not the same: I'm rehabilitated. I met Jesus Christ, received my GED and I proudly carry out my duties maintaining health facilities.

**My new purpose is becoming a counselor against violence, gangs, drugs and alcohol.** I guarantee that if given an opportunity to show my transformation, I'd change the perspectives of those I've harmed.

If I'm deported, my life is in jeopardy. The current government would arrest me on sight and accuse me of crimes I haven't committed. I'm afraid they'd kill me.

—Luis Ayala (El Salvador);  
Earned certification in Health Facilities Maintenance and works to be of service to others.

At a young age I learned to adapt to the American culture and still uphold my traditional values. I'm not an American, and I will eventually be deported... I do respect the law of the land, and I know I must face the consequences of my choices. But I am also fortunate, in that my family and the Kingdom of Jordan will welcome me with open arms.

"I understand most people who are deported don't have it as easy as me. I thank God every day for my blessings, for my family, [and] wife... Many other folks that get deported face persecution and even death... It's sad and unfortunate. I still believe everyone deserves a second chance."

—Jad Salem (Kingdom of Jordan);  
Journalism Guild writer for San Quentin News as part of his commitment to serving others



I came here believing in the American dream. I still believe in it. But that dream quickly becomes a nightmare when you're a minority with legal troubles. They weaponize it against you, to disgrace and deport you to your homeland, where subtle cultural variances can mean the difference between life and death.

There's a stigma attached to the person who abandons his own culture to chase something else in a far-off land, sacrificing everything for that dream — only to return as the scandalized prodigal son. And that stigma will follow you, even when charges are dropped or your conviction is ultimately overturned.

It's a permanent tattoo on your soul.

Now I'm an alien in America, my adoptive land, as I will soon be in my motherland.

—Anand Jon Alexander (India);  
A proactive advocate for racial justice, and the inspiration behind California Assembly Bill 1909

The biggest struggle would be to adapt to the Mexican system, because I don't know the present situation and I have been away for more than 25 years. Also I would face problems trying to secure official documents of identification. Those credentials are required to obtain a job, rent an apartment or initiate a business. In other words, I have to start from the first step.



—Jorge Hernandez (Mexico);  
Creates beautiful works of art and donates them as part of living his amends

1) Wilmer Arriola Martínez; Vincent O'Bannon // SQNews; 2) Alfonso Landa; Andrew Hardy // SQNews  
1) Luis Ayala; Dao Ong // SQNews; 2) Jad Salem; Vincent O'Bannon // SQNews; Jorge Hernandez; Dao Ong // SQNews; Anand Jon Alexander; Vincent O'Bannon // SQNews





# DISPOSABLE

MAKING AMENDS HAS BECOME HIS LIFE'S PURPOSE. BUT ICE MAY SOON SEND HIM BACK TO THE JUNGLES HE CANNOT RECALL

BY VINCENT O'BANNON



**T**HE SKY HAD BEEN GRAY AND RAINY SINCE EARLY morning. I didn't know what time it was. My shirt and shorts were wet, my hair damp, my feet bare. As my older sister and I waited in line for our daily rations, I played with the gritty wet mud that filled the space between my little toes. If necessary, we would wait all day for our small portion of rice porridge. It was certainly better than nothing.

I was then six years old; my sister was 10. Despite the rain, I was not cold. This place never got cold.

I don't know how long we waited for rations, but I was finally at the front. I held my small coconut bowl over the wooden table, both palms under it so I wouldn't spill a drop. The old Thai lady dipped the ladle into the porridge pot. My scrawny body was too short to see inside, but when the ladle reappeared, I held on tight to my bowl. She poured a single dipper into my bowl. I waited hopefully for more. She gave me a nod to move on.

*It was better than nothing. I felt good just to have something to eat. I waited nearby for my sister, then walked beside her back toward our wooden shanty. I wanted to eat in the comfort and safety of my family. My parents, three older sisters, and two older brothers, one younger brother.*

*With the bowl in my hands, I walked the muddy road. The warm rain was beating on my head and collecting inside my bowl. I didn't care.*

*Almost home, I picked up my pace. One step, two. One step, two. My next step had me off balance. My foot slipped forward in the mud and I fell down and landed on my side.*

*The bowl slipped out of my grasp and as it hit the ground, my food spilled into the mud. I was so sad. My sister picked me up and asked if I was hurt.*

*I cried. I had waited so long for nothing to eat, and there would be no more until tomorrow, when I would return to stand in the ration line once more.*

**K**AMSAN SUON WAS BORN TWO months after Pol Pot and the Khmer Rouge took control of Cambodia in 1975. Afterwards, food became scarce. The Khmer Rouge guerrillas said supplies were being rerouted east, where the soldiers were fighting the Vietnamese, but they never seemed to be starving the way the people were.

Kamsan's father had been a unit commander in the Cambodian army when the communists took power after a long and bloody civil war. Like many thousands who had faithfully served their country, he was jailed and tortured mercilessly.

By some miracle, his life was spared. He and his family escaped through jungles blanketed with land mines, reaching one of Thailand's refugee camps two years after fleeing Cambodia to escape tyranny and terror.

Kamsan Suon is now a San Quentin



resident who faces the prospect of deportation when he completes his prison sentence.

Now 48 years old, he has been incarcerated for 25 years. Like many incarcerated Californians, his family migrated to the U.S. legally as refugees.

California is one of a number of *soi-disant* "sanctuary" states, where undocumented immigrants and other marginalized persons and communities are ostensibly safe from federally mandates, especially laws requiring notification of Immigration and Customs Enforcement.

But some refugees are made ineligible for naturalization due to their non-resident status, and others are disqualified for having committed crimes in this country.

Individuals in these categories are slated for deportation, even when they have lived in the United States nearly from birth. The Suon family escaped to a Thailand refugee camp where they spent two years in hiding from the Khmer Rouge before coming to the U.S.

"People had to work for food,' my parents told me. Our people lived in wooden shacks the size of San Quentin cells. Whole families were force-marched into the countryside to engage in, what was deemed hopelessly inadequate agricultural projects," Suon said.

Suon and his family were able to flee the hardships of Thailand with sponsorship by the Catholic Church and an affluent relative; at last, they left the steamy jungles for a new life in Oklahoma City.

"I was so happy to be in a new country where there were no terrifying soldiers and gunshots constantly being seen and

Illustration by Andrew Hardy // SQNews





America. Why must I be exiled to a country I do not know and which doesn't know me?"

• • •  
*One day in my village, I heard a strange sound in the distance. I ran out of my shanty to look for the thing that made a rhythm, a sound playing in unison. It grew louder. There was one other kid already at the edge of the road when I arrived. I joined him, and we watched from the side of the road as ranks of strange people marched toward us.*

*Something in my mind told me not to be afraid. These were not the soldiers I was used to seeing—the ones with the Red and White checkered scarves wrapped around their waists or necks, with tail ends hanging off their shoulders. No, these were not Khmer Rouge soldiers.*

*I had never seen these strange people before. The soldiers I was used to seeing carried the AK47 rifles to patrol our area. But these carried bigger guns and wore blue uniforms. Their faces were foreign and funny looking to me — theirs were not the faces of Asian people. Their skin was pale, they had lanky arms and legs, and they were very tall. They had pointed noses that made them look goofy, but they also looked strong and healthy. These soldiers were from another world, but I sensed that they were here to help us.*

*Suddenly the other kid piped up: "If you look at a soldier eating, he might give you some."*

*I was hopeful. I saw one of the soldiers break from his line to sit under a tree. I watched him as I stood near him. He rummaged through his pack and brought out*

*a loaf of French bread. He sat in silence while I watched the bread in his hand. The White soldier then reached out toward me. I looked at him in wonder as I took the bread from his outstretched hand.*

*As I ravenously devoured it, I couldn't remember the last time I had good food to eat.*

• • •  
 The Khmer Rouge Regime, also known as the Communist Party of Cambodia, ruled the country from 1975 to 1979. Led by the Marxist leader Pol Pot, the regime operated primarily in the remote jungle and mountain areas in the northeast of the country near Cambodia's border with Vietnam. Pol Pot's attempts to create a Cambodian "master race" through social engineering that led to one of the worst mass killings of the 20<sup>th</sup> Century—more than 2 million Cambodian people were brutally murdered during the party's rule. Those killed were either executed as enemies of the regime, or died from starvation, disease or overwork. Pol Pot isolated Cambodia from the rest of the world. He resettled hundreds of thousands of the country's city-dwellers in rural farming communes and abolished the country's currency, and outlawed the ownership of private property and the practice of religion. Suon and his family were among the nearly 158,000 Cambodians, mostly refugees, to resettle in the US between 1975 and 1994. Suon was just six years old.

Now, decades later, thousands of people are being sent back to Cambodia. In 1996, President Bill Clinton signed the Illegal Immigration Reform and Immigration Responsibility Act into law, along with an

Kamsan Suon was six years old (top) when his family fled the horrors of Pol Pot's communist Khmer Rouge Regime. Now 48 years old (above), Suon carries with him the scars of the past — and the fear of being persecuted if returned to Cambodia.



Courtesy/Wikipedia Creative Commons

Antiterrorism and Effective Death Penalty Act—all measures that dramatically broadened the range of people vulnerable to deportation, *The Nation* reports. According to statistics collected by the South East Asia Resource Action Center, 3,106 Cambodians were given deportation orders and 1,067 were deported between 1998 and 2020.

Former San Quentin resident Phoeun You is one of the people who were sent back to Cambodia after legally immigrating with his family during the Khmer Rouge Regime.

"It was rough when I first landed [in Cambodia]," You told *The Nation*. "So many pieces [of life in the United States] are unfinished. I didn't get to say goodbye to my family, and that was devastating. And even though I know I'm free, for the first month I didn't leave the house... The world was strange to me: I didn't know the language, the culture. I was shell shocked."

You, a former layout designer for the *San Quentin News*, was deported after serving more than 25 years in prison. During this time he worked to improve himself, taking classes and programs that would help him become a better citizen. However, like many foreign-born immigrants in the U.S. prison system, You faced a catch-22: earning release from American prison makes a person fair game for Immigration and Customs Enforcement, and subject to deportation upon release. His rehabilitative efforts did not matter to the authorities that deported him, even though they were

integral to the hearing in which he was found suitable for parole.

Like You, Suon feels that he has become a better version of himself during his time in prison. After spending years feeling like he was not good enough, loved enough, or supported enough, he finally found his stride. He writes poems and fictional stories, and graduated from college with a 3.11 GPA. He has worked as a welder, a fabricator, and acquired plumbing skills. He has taken

***I didn't know much about this Pol Pot ... that he and the Khmer Rouge had killed many Cambodians. I never knew they had killed all four of my grandparents ... By tradition, Cambodians do not talk about what happened during the Cambodian Genocide where millions of men, women, and children were tortured and executed.***

self-help groups and been in therapy. He feels that he is ready to leave prison and contribute to the country that he knows and loves—and help kids like him avoid the path he fell down.

However, he also fears what might lay in wait for him if is granted parole from prison and forced to return to the country of his birth.

"I fear I will be persecuted by the government for my father's political role," he said. Because his father had been a soldier in the Sinouk and Lon Nol armies during the Cambodian Civil War, he would likely be painted by the same brush.

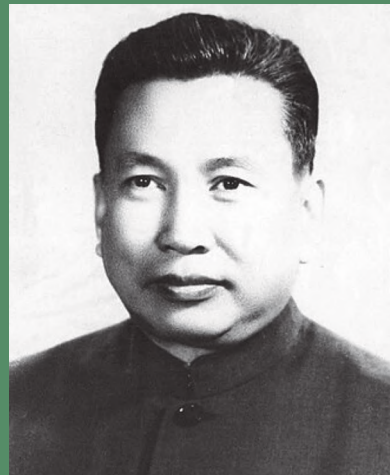
"I fear becoming a prisoner forced to work as a slave, if not by the government, then by [my own] family, who may exploit me. But what I fear most of all, that I will

**EARLY YEARS**

Pol Pot was born Saloth Sâr to a prosperous farmer in French Cambodia in 1925. He received an elite, international education, joining the French Communist Party in the 1940s. Returning to Cambodia in 1953, he became involved in the guerrilla war against Cambodia's King Norodom Sihanouk, and spent the 1950s and 60s organizing Cambodia's communist movement. In 1959, Pol Pot helped formalise the movement that would later be known as the Communist Party of Kampuchea, becoming its leader in 1963.

**CIVIL WAR**

In 1968, Pol Pot relaunched the civil war against King Sihanouk. In 1970, an internal coup deposed Sihanouk and established a pro-America government backed by the U.S. military. Pol Pot joined forces with the ousted King. Receiving aid from the Viet Cong militia and North Vietnamese troops, Pol Pot's Khmer Rouge forces waged a brutal civil war, advancing and eventually taking control of Cambodia by capturing the capitol in 1975.



Images courtesy/Wikipedia Creative Commons  
 Courtesy Kamsan Suon — Vincent O'Bannon // SQNews

**CRIMES AGAINST HUMANITY**

A new war was declared on perceived political opponents, ethnic minorities, and alleged dissidents. Genocide, assassination and mass murder swept the nation. The new government slaughtered anyone with ties to the former Cambodian governments. Professionals and intellectuals, artists, musicians, writers, and filmmakers all became enemies of the state. City dwellers were deemed "economic saboteurs" for their lack of agricultural ability; and thousands of party members were tortured and executed in Khmer Rouge purges.



Skulls of the Khmer Rouge victims. Tens of thousands of mass graves have been uncovered

**SHEER NUMBERS**

Academics estimate between 1.5 and 2 million people died under the Khmer Rouge regime from 1975 – 1979, with widespread executions accounting for the vast majority. Nearly 25,000 mass graves have been uncovered, containing the remains of about 1.3 million victims of execution. After the Khmer Rouge were defeated in 1979, another 300,000 fell victim to starvation. All told, approximately one-quarter of the population was wiped out. Some researchers argue the figures are actually higher.





Kamsan proudly displays a front-page story from *The Modesto Bee*, about the sacrifice his parents made to escape the Khmer Rouge.

having a good time, hanging out in the place where I went to be at peace with myself. I got closer, and I saw another American, a Black man, sitting in the branches, on my branch, where I loved to sit, a place that was perfect for sitting.

These Americans and their happiness — something about it drew me in. I climbed up, making my way to where he was, and when I got near, the man warned me to be careful, like he was concerned for me. Like he cared. Suddenly, I felt safe, and didn't mind him being in my place of peace.

“Okay,” I said in my basic English, my voice small and tiny compared to his.

Though we were strangers, I didn't feel like one. The other Americans, too, made me feel welcome. Their laughter was contagious; I laughed, too, not even knowing why.

I usually felt so different. That's why I loved my leaning tree. But these people, they didn't make me feel different at all. It didn't matter that I was so young, that they were so old. I was welcomed into their little circle.

After a little while, they headed home. My home was in the same direction, so I walked with them, alongside the tall Black American from my tree. I sensed some kind of connection with him and his friends, and I had no fear of these kind and friendly people.

At their house, they invited me inside, and I sat on their sofa. They put cartoons on for me. I was hungry, and the man from my tree offered me a peanut butter sandwich.

“What is a peanut butter sandwich?” I asked.

Incredulous, he replied, “You don't know what a peanut butter sandwich is?”

I just shook my head, embarrassed.

“I'll make you one, just wait.”

It was delicious, a taste I had never tasted before, and I loved it instantly. To me, it was exotic and unknown, but the best flavor I had ever experienced.

I sat there, eating and watching cartoons, surrounded by people who were different, but who surrounded me with kindness, caring, and generosity. I felt safety, warmth. I felt no difference, only connection.

As I ate my peanut butter sandwich, for the first time, I felt like an American. 🇺🇸



From the time he was three years old, Pheng Ly has grown up an American, loving his country and serving in a National Guard Junior ROTC (left). Today, with an understated smile that has changed little in thirty years, Ly remains industrious, working hard and volunteering his time in service to others (right).



## BORN IN A RIVER

Displaced by war, no home to return to.

BY EDWIN E. CHAVEZ

**P**HENG LY WAS BORN IN A river: a winding, natural waterway forming the boundary between Thailand and Laos.

His first three years were spent in a Thai refugee camp before his family — having been displaced by the Vietnam war — was permitted to resettle in America.

In the U.S., the Ly family struggled with the language and culture of their new home. It wasn't easy to maintain connection to their Hmong heritage while assimilating to a new way of life in a foreign land.

While his family worked hard and pursued American citizenship, Pheng Ly took a different path. At 17 years old, he was convicted on two counts of murder, sentenced to 50-years-to-life. He has now been incarcerated thirty-one years.

His crime was unforgivable, he says humbly. Yet, in the decades since his arrest, he has found purpose in rehabilitation, in reshaping his values, holding himself accountable and seeking ways to be of service to others. He applied himself relentlessly to his education, earning seven college degrees while immersing himself in therapeutic programs to address his past.

“No one can change history,” Ly said in an interview. “I can never return the lives I took. I cannot repay that debt, ever.”

Eventually, he will be considered for parole. His rehabilitative efforts will be weighed, his insight and remorse judged, and his risk of future violence assessed. Should he be found suitable for parole—that is, fit to return to his family and community—the irony is that

“I feel like Tom Hanks in that movie, *The Terminal*. A man stuck in an airport because he has no country.”

the investment in his rehabilitation might have been for naught.

He has an Immigration and Customs Enforcement hold, meaning that if he's found suitable for parole, he will be turned over to ICE agents to face deportation. The problem is, *to where?*

“I have no citizenship or nationality,” said Ly. “I have no country to be deported to... Nationality involves being the subject of a ruling government or nation.” For Ly, there is no documentation of his birth, and thus no country or government to which he is subject.

His situation is fairly unique,

and his immigration status is further muddled because his crimes involved violations of Immigration Law, resulting in the revocation of his permanent Resident Alien status.

“I feel like Tom Hanks in that movie, *The Terminal*,” Ly said. “A man stuck in an airport because he has no country. He can't leave the terminal nor can he return to a country no longer recognized by the United States.”

“It feels hopeless,” he said solemnly. “I can't even begin to imagine how it would feel to actually be deported; I have no idea where I would even be deported to... I've heard many stories over the years about deported Asians who have mysteriously disappeared...”

“Most involve government conspiracies, and cash payments for live bodies to be disposed of.”



be labeled a traitor, even though I was only four years old when we escaped tyranny.

“I do not speak Cambodian. All I know is America, though now I am in jeopardy of being exiled to a country I do not know, and which does not know me,” he says.

Deportation would mean losing his family: his eight siblings and his 24-year-old daughter, whom he has never met.

“I understand that I've committed a crime and I understand the law,” he says. “However, by all accounts, I am a U.S. citizen. All I know is America. This is my home.”



By the early 1980s, we had been in the U.S. maybe a year. I still struggled with the language, but I was learning. My family had begun to settle in. We felt secure.

I was seven years old, and I often went to a park near our house. There was this one tree, a magnolia if I remember. I had named it the Leaning Tree. It was my favorite tree in the whole park because it was different, just like me.

Usually, I had the Leaning Tree all to myself, but that day I saw three Americans in their twenties, two White women and a man, at my tree. It seemed like they were



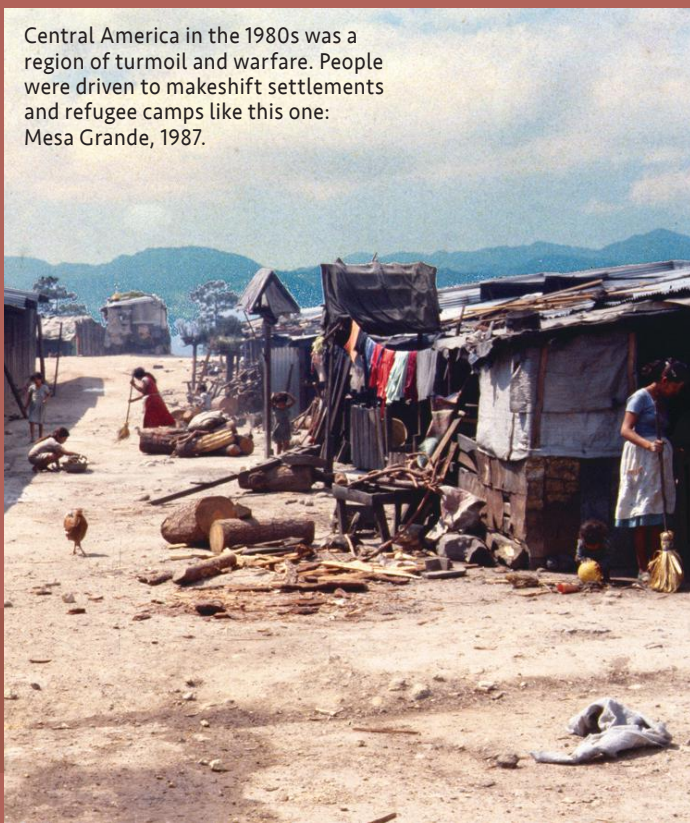


## PEDRO BALTAZAR - EL CHAPÍN

*Decades after he fled Guatemala's brutal civil war, he remains haunted by images of slaughter — and lives in fear that he he will suffer the same fate if deported.*

BY CARLOS DROUIALLET

Central America in the 1980s was a region of turmoil and warfare. People were driven to makeshift settlements and refugee camps like this one: Mesa Grande, 1987.



**P**EDRO BALTAZAR WAS BORN IN CASERÍA ALDEA Quetzal, Guatemala. Of Mayan descent, he grew up speaking the *Cajombal* dialect of his Maya Ixil people, and even now speaks only halting Spanish and broken English. He recently completed a 17-year prison sentence in 15 years, thanks to the rehabilitative programs at San Quentin State Prison.

Baltazar's childhood was marked with difficult experiences. His parents died when he was very young, leaving Baltazar to stay with neighbors since he had no living relatives. He recalled that being orphaned was "suffering that was too hard for a child." As a teenager, Baltazar would live through the devastating Guatemalan civil war of the 1970s.

Baltazar had to work at an early age, with no time to go school. At just 13 years old, he was working in the countryside, contracting with landlords in the Huehuetenango area.

"The landlord would assign me some work [such] as cleaning a piece of land for a fee," said Baltazar. Later, he supervised other workers doing the same.

Vincent O'Bannon // SQNews; Wikimedia Creative Commons

Three years after he started working as leader in the fields, Guatemala's civil war began. Agricultural production ceased due to violent guerrilla fighting, and life as Baltazar knew it was forever changed. Living with his fiancé at the time, the two experienced the terror of war together.

"During the confusion, the soldiers attacked properties and burned the marketplace with people inside," Baltazar remembered. "They locked up the people in the building, and burned the people alive." Baltazar witnessed numerous atrocities during the war, including the burning of a group of people taking shelter in a church.

Fearing for their lives, Baltazar and his fiancé fled to the mountains to avoid being killed by the guerrillas or the soldiers. Together with other fleeing families, they moved to a remote area where they could safely access maize, squash, yucca, sweet potatoes and some farm animals.

Unfortunately, the danger only grew closer. Baltazar decided to travel north alone, leaving his fiancé behind and heading for the United States—seeking peace and opportunities for a better life. He crossed the Boca Lacandon River, crossed into Mexico, working steadily as he traveled ever northward.

"I stopped at Ensenada, Rosarito, and Tijuana, working the tomato fields. From Tijuana, I crossed with some guys [at] the US border."

After arriving in the US in 1987, things initially went well for Baltazar. He worked in agricultural production and construction. He still worried about deportation, knowing he would be in danger

if he returned to Guatemala; but for the most part, he worked hard and lived well.

Then, a drunk-driving accident changed Baltazar's life. "For many years I worked and prospered in this country, until I became an alcoholic and provoked an accident while driving intoxicated, and a person died," said Baltazar in his direct, simple way. "I have remorse and sadness for what happened, and I accepted my crime."

**"[T]he soldiers attacked properties and burned the market place with people inside. They locked people inside the building and burned them alive, even children and pregnant women, saying that they were only guerrillas. They did the same with two Christian churches at another town."**

Fast-forward to 2023: In the days before his release, the nervousness of being deported kept him worried. He couldn't sleep for days, thinking of the possibility of danger.

In modern Guatemala, the political threat to deportees is similar to that of El Salvador and other Central American nations, Baltazar said.

Just ten years ago, former dictator Efraín Ríos Montt was convicted of genocide against Baltazar's own Maya Ixil people. This year, the dictator's daughter ran for president, and though her bid failed, the election was a dark reminder of what remains possible in Guatemala, according to the *Los Angeles Times*.

"I think that my life will be in danger," Baltazar explained, both anxiety and resignation written on his features. "It always crosses my mind what happened to the people who were burned at the Christian churches during the civil war." 🙏

*Pedro Baltazar was released in July, 2023, and turned over to federal immigration agents. The friends he made during his rehabilitation at San Quentin wait hopefully for word on his release and safety.*

## #UnChainMe

BY JESSIE MILO (2023)







# LEARNING TO THRIVE

STRUGGLING TO ADAPT, HOPEFUL HE MIGHT ONE DAY RETURN TO HIS REAL HOME

BY EDWIN E. CHAVEZ

**E**XPELLED BY THE ONLY HOME HE ever knew, 49-year-old Phoeun You found himself suddenly alone on the other side of the planet, separated from family and the country that raised him.

Each year, thousands of incarcerated people are turned over to immigration authorities once their sentences are complete, often after decades in prison.

Some, like Mr. You, have been here from infancy and know no other home.

You is not a US citizen; he was born in Cambodia – a third world country torn apart

in the 1960s – 70s by guerrilla warfare under the Khmer Rouge and the Pol Pot regime. The communists' rule was marked by mass deportations and executions, with more than two million Cambodians killed before the regime was overthrown in 1979.

"You know," You said, "after they told me I was eligible to be free from San Quentin, it was indescribable, because you go through a period where you reflect whether you'll be denied or not....but I thought that everything had been resolved."

For non-citizens, reaching the end of a life

sentence doesn't guarantee that the person will be set free. For most, this is only the beginning of a new journey.

Marked for deportation proceedings, You was transferred to federal detention in nearby San Francisco, then moved to an immigration center in Mesa Verde. He remained there five and a half months, fighting the inevitable.

His world came crumbling down.

Around four o'clock in the morning, he was given the order: "Gather your belongings. You're getting on a plane to

your country."

*But this is my country,* he wanted to say.

After living in the U.S. for nearly half a century, he was deported to the place of his birth, without so much as a phone call to his family.

"My heart sank. I knew that it was a possibility, but I didn't know it'd be so immediate." You said.

The flight to Cambodia was long, with multiple stops. His mind lost all sense of perception. Carrying regrets and frustration like carry-on luggage, he was unable to eat

Courtesy: Phoeun You

“Even though I am not an American on paper, I am on the inside. I'm fighting to return and I'm crossing my fingers so that it happens one day...”

If he could return, it would be to make sure the community is safer than he left it: “It's my duty. I owe it to everyone, to the country I love. Just give me one more chance.”

or even think clearly.

“I tried to watch the in-flight movie, but all I could do was think: *What's going to happen now? Who will I live with? How am I going to find a job or food?*”

## FOREIGN SOIL

Arriving in Cambodia, You was placed in a transition home as a “guest,” but he kept seeing the same prison in his new-found freedom. His bunk was made of metal and there were bars on the windows. He was also subject to many of the same regulations as in prison: In-and-out hours, house rules, and more.

Communication and employment were his first two obstacles, and he faced them simultaneously.

While incarcerated, he received extensive training in myriad self-help groups and restorative justice programs. Unfortunately, these skills had no practical application in Cambodia.

According to him, the great impediment of language has been difficult to overcome. “[People] stare at me, like they're saying, ‘What? What did you say?’”

For the time being, You is picking up gig-work doing speaking engagements, speaking anywhere that will hire him and pay for his time.

But this is only a means for immediate

survival. There's no assurance of future work, but for now it's keeping food in his belly, and a roof over his head.

## THE OPTIMIST

Phoeun You remains ever hopeful, refusing to give up on the American dream. He hopes to return to the nation that once opened its doors to him, one day. But this can only happen if he receives a pardon from California Gov. Gavin Newsom.

“I'm trying to return,” he says, looking off into the distance as if he can see California on the horizon.

“My heart is in the U.S. Even though I am not an American on paper, I am on the inside. I'm fighting to return and I'm crossing my fingers so that it happens one day – even though I don't when that is,” said You.

If he could return, it would be to help. His life's purpose is ensuring his community is safer than he left it.

“It's my duty. I owe it to everyone, to the country I love. Just give me one more chance.”

## A CALL TO UNITY

You often reflects on the uncertain journey of deportation. He didn't know there were so many similarities between the Asian and LatinX communities, who have been coping with the plight of immigration for decades.

“I think it's about time that we unite,” he reflected, “and work together to put an end to deportation.”

*Before being deported, Phoeun You worked tirelessly as a layout designer and photographer for the San Quentin News and Wall City magazine. His contributions to both publications, and his mentorship to media center workers, cannot be overstated.*



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*This is the third issue of Wall City en Español, and it has been a collaborative effort that we are proud of. It's also the first to be made available in two languages: the Spanish version in print, with a QR code on the back cover linking to the English version, available online.*

*The Wall City en Español team values inclusivity, and salutes our non-Spanish speaking contributors for their support.*

*Wall City* is written and produced by the incarcerated at *San Quentin News* to report on rehabilitative efforts, increase public safety, and advance social justice. Friends of San Quentin News is an affiliated nonprofit organization that raises funds to facilitate publication and distribution.

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