

# Deportation to Nowhere

**The L.A. area is home to about 2,000 immigrants who have been ordered to leave the U.S. but remain because no other nation will recognize them.**

By Anna Gorman  
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Months after being ordered deported, Karen Vanian walked out of an immigration detention facility in San Pedro and headed to his family's house in Tujunga.

"Freedom," he said, holding a plastic bag of his belongings. "I just can't stop smiling."

In October, immigration authorities released Vanian -- a convicted felon who served a sentence for carrying a loaded firearm - - because they could not get a valid passport to deport him.

Vanian is ethnic Armenian, but Armenia has no record of his citizenship. The

only passport he holds is an expired one from the former Soviet Union, to which that country had belonged.

"He is a native of the USSR, and there is no such thing as the USSR," said his attorney, Victoria Bezman. "He is stateless. What options does he have?"

For now, he can work legally in the United States.

Vanian is one of thousands of immigrants across the country who have served time for crimes and subsequently been ordered deported but are still here because the United States cannot get passports or visas for them.

Some are from countries such as Cuba that do not have diplomatic relations with the United States.

Others are from African countries where international borders have shifted or where political turmoil has made it impossible to locate records.

Still others, including many Palestinians, were born in refugee camps and do not belong to any country.

Immigration authorities are bound by a U.S. Supreme Court decision that prohibits keeping detainees for more than six months beyond their prison sentences if deportation is unlikely. In some cases, the government finds a third country to accept the immigrants, but more end up back on U.S. streets.

Immigrants are subject to deportation if they are in the country illegally or are green-card holders convicted of serious crimes.

Just in the Los Angeles area, about 2,000 immigrants have been ordered deported but have been released under certain conditions, such as reporting their whereabouts regularly.

Of those, roughly 50% to 60% were released because no travel documents could

be obtained from their country of origin, according to officials with Immigration and Customs Enforcement.

"People think that once somebody is ordered deported, it's bon voyage," said

ICE spokeswoman Virginia Kice. "It's not that simple."

The threshold to keep these immigrants in custody is extremely high, she said -- for instance, national security or terrorism concerns.

In an effort to send more of the criminal immigrants home, the Department of

Homeland Security is starting "aggressive dialogues" with foreign governments that do not typically issue travel documents, said spokesman Jarrod Agen.

"We often find that people who are removable sit in our detention facilities

-- simply because the foreign country has failed to give us a 'travel document' agreeing to take its citizen back," Homeland Security Secretary Michael Chertoff said in written testimony to the Senate Judiciary Committee last month.

"We must make this a top priority in our bilateral relationships around the world."

Attorneys for the immigrants say some are not released after six months as required, even if their deportation is unlikely.

The Catholic Legal Immigration Network, which provides legal services to immigrants, published a report in September concluding that there were inconsistencies in how immigration offices around the country handled such cases. The report attributed the problems in part to understaffed immigration offices and insufficient records.

As of March, there were 1,225 long-term detainees -- or "lifers" -- around the country, according to the organization, which used data received from Homeland Security. Many do not have attorneys and may not know the status of their cases, said Kathleen Sullivan, director of the organization's national detention representation project.

"It's incredibly frustrating for the detainees, because they feel that they are being held a long time without any information about when they might be released," she said.

Even when the immigrants are released, attorneys said, they never know when,

or if, they will be rearrested and deported.

"They are in limbo status," said Jay Stansell, an assistant federal public defender in Seattle who specializes in Cambodian cases.

Sometimes, the immigrants have travel documents but the other country refuses to accept them. In other cases, deportees have been flown to their native countries, only to have their documents invalidated and the immigrants sent back to the U.S.

"If Moammar Kadafi won't take someone in Libya, we won't be able to do a flyover and drop them with a parachute," said Bill Odencrantz, ICE director of field legal operations.

If a judge rules that an immigrant cannot be repatriated to his or her native country for reasons of personal safety, immigration officials can look for a

third country. In one well-publicized case, four Iranian brothers accused of

supporting a terrorist group bent on overthrowing the regime in Iran were ordered deported.

But the directive was blocked when immigration judges found that the brothers could face torture in Iran. U.S. officials have yet to find a third country to accept them, so they were freed from a detention facility in March but placed under an "order of supervision," which requires them to be tracked.

Deportations are pending against some people born to Lao or Vietnamese parents in Thai refugee camps. "Those ... are some of the people we have trouble removing because they're stateless," said deportation officer Gabriel Valdez.

Valdez recalled a case in which the person was born in what is now the Czech

Republic, but he was of Slovakian descent. Each country contended that he was a citizen of the other, so he could not be deported and was released under an order of supervision.

But among the most common cases, Valdez said, are those of immigrants born in the republics of the former USSR.

"Anything with the breakup of the Soviet Union is really difficult to return," he added. "Many of those countries will not claim those people as citizens or nationals of whatever the new sovereign nation is."

That's essentially what has happened in Vanian's case.

He was born in 1978 in the former Soviet Union. When he was still a child, Vanian and his Armenian family fled the Azerbaijani capital of Baku during violent conflict between the republics of Armenia and Azerbaijan.

They went to Russia but could not get residency, and then to Soviet Georgia,

where Vanian's father had been born.

After obtaining Soviet passports and U.S. visas, the family came to the U.S.

in 1995, Vanian and his attorney said. They applied for asylum the next year

but were denied, according to the attorney. Two years later, they reapplied under false names and were mistakenly granted asylum, she said.

In 2003, Vanian was convicted of carrying a loaded firearm with intent to commit a felony. After serving time in state prison, he was transferred to immigration custody in January 2004 and ordered deported.

Deportation officers began trying to get travel documents to put him on a plane. But the Armenian Consulate and the Armenian Embassy both sent letters to immigration officials saying there was no record of Vanian's citizenship.

"He was not removable, so there was no sense in maintaining him in custody,"

deportation officer Valdez said.

Valdez said that he would "climb the walls" to get some criminal immigrants deported but that he wasn't too worried about Vanian, in part because the detainee had a supportive family and a job lined up.

Vanian was released Oct. 20. He said he saw several fellow detainees deported and thought he would be too.

He was relieved when he found out that Armenia wouldn't take him, and said he understood why.

"They already have enough headaches with their citizens," he said from the detention facility in San Pedro just before being released. "You're not a citizen. Why do they want to keep you, especially if you screwed up?"

Now, Vanian said he feels that he has another chance to make up for his mistakes and prove himself to the U.S.

"I was always thinking I was going to be deported," he said. "Now it's just like, wow."

His attorney, Bezman, said she wants to continue fighting for Vanian to stay

here permanently.

Now on supervised release, Vanian cannot leave the country.

"He has gotten a short-term reprieve," said Kice, the immigration agency spokeswoman. "But the final order is still in place, and the effort to remove him will continue."