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LIBBY SCHAAF
Mayor

NIKKI FORTUNATO BAS
Councilmember – District 2

May 7, 2019

Dear Governor Newsom,

We, the Mayor and City Councilmembers of Oakland, are writing to urge you to use your clemency power to grant pardons for three individuals who are under deportation orders from the Federal Immigration and Customs Enforcement (ICE) – Kang Hen, Hay Hov, and Roeun Pich.

All three individuals are Cambodian American refugees whose families fled the genocide in Cambodia and resettled in the Bay Area in 1985 when they were small children. In addition to the trauma from the violence they endured in Cambodia and the refugee camps in Southeast Asia, they each grew up in poverty, with few resources, and violence in their schools. As youth, they, like many other Cambodian Americans and others who came to this country as refugees, wound up in the criminal justice system because the communities they lived in were under resourced and over criminalized.

Hay Hov and Roeun Pich grew up in Oakland, and their families still reside in our city. At the ages of 19 and 20, they were arrested, convicted of crimes, and later released. Now decades later, they are facing deportation as a result of those convictions to a country that they do not know. They accepted plea deals not realizing the resulting immigration consequences. Since then, they have each turned their lives around and have grown to be loving husbands and fathers, caregivers for elderly parents, and work long hours to support their families. Here are brief descriptions of each individual:

- Hay Hov grew up in a housing project in Oakland and in 2001, at age 19, pled guilty to soliciting an assault of a man in his neighborhood, and as a result was eligible to be deported. After he was released from prison, Hay turned his life around. He and his partner of seven years, Catherine, have a four-year-old child, Robbie, who was diagnosed with severe autism. Hay accompanies Robbie to special education classes, doctor's appointments, and speech therapy appointments each week. He is also the primary caretaker of his elderly parents, and his mother was recently hospitalized for kidney failure. Hay works night shifts as a truck driver for Pet Food Express. On March 13, ICE

agents arrested Hay with plans to deport him in the coming weeks. His co-workers at Pet Food Express launched a petition on his behalf in support of a pardon that over 12,500 people have signed.

- Roeun Pich grew up in poverty in Oakland, and in 1996, at the age of 20, Roeun was convicted of driving a stolen vehicle and fleeing the police, and as a result was eligible to be deported. Since then, Roeun and his wife of 10 years, Kanley, are loving parents to five children. Roeun works night shifts and has no other convictions. On April 1, ICE agents arrested Roeun with plans to deport him within the coming weeks.
- Kang Hen grew up in San Jose and in 1994, was arrested shortly after his 18th birthday after driving two other gang members away from the scene of a home invasion robbery. Kang accepted a plea deal to a robbery charge that allowed him to be released after serving four years of prison time, but he did not realize at the time that it would result in him being eligible for a deportation order. Kang is now a model member of his community, volunteering with the homeless and at the Buddhist temple, and working at the same company for 13 years. He and his partner of 17 years, Ruth, a case manager for homeless clients at St. Vincent de Paul, have a three-year-old child. Ruth was recently diagnosed with kidney and heart failure, and Kang has been Ruth's primary caretaker. On April 1, ICE agents arrested and detained Kang with plans to deport him within the coming weeks.

Pardons exist as recognition that people can change their lives and make amends. These three men are valuable members of our community and society. We believe strongly in restorative justice and rehabilitation in Oakland, as so many of our residents of color who grew up in poverty, are living with conviction records that impact their lives—from getting jobs to being separated from their families by ICE. Immigrant communities have faced two years of relentless attacks by the Trump Administration. Waves of ICE raids have hit Cambodian American refugee communities particularly hard. Over the past few weeks, ICE raids targeted Cambodian American communities across the country including San Francisco, Oakland, and San Jose.

Tearing apart these families does not make us safer; rather we know that these deportations cause extreme trauma to families and make us less safe as a community. Studies have shown the enormous toll that the deportation of a parent takes on children. Children who lose a parent to deportation are far more likely to drop out of school and as a result are at greater risk of entering the criminal justice system themselves.

We urge you to use your clemency power to grant pardons for Hay Hov, Roeun Pich, and Kang Hen, who are under imminent deportation orders from ICE.

Please do not hesitate to contact our staff with any questions about this letter: Miya Saika Chen, Chief of Staff for Councilmember Nikki Fortunato Bas at (510) 238-7246 and Joanne Karchmer, Deputy Chief of Staff for Mayor Libby Schaaf at (510) 238-7439. We thank the Asian Prisoner

Support Committee (APSC), Center for Empowering Refugees and Immigrants (CERI), and Asian Americans Advancing Justice – Asian Law Caucus for bringing this important issue to our attention.

Sincerely,



Mayor Libby Schaaf



Councilmember Nikki Fortunato Bas



Council President Rebecca Kaplan



Vice Mayor Larry Reid



Councilmember Sheng Thao