

How Undesirables May Be Detained

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A little-known incident of holding in detention Cuban refugees linked to "fairly serious crimes" could serve as a model for handling any similar Vietnamese undesirables, an Immigration and Naturalization Service spokesman said yesterday.

About 12 Cubans, refugees from the Castro revolution, were jailed in Florida by the INS for "a few months" before they moved to South American countries willing to accept them, according to Vern Jervis, the INS spokesman.

Jervis, who initiated a search for records on the incident yesterday, said: "I don't know exactly what they were charged with, but fairly serious crimes were involved. They either had been convicted or (their involvement) was known in the Cuban refugee community."

Vietnamese refugees are being given security checks based largely on any information on them in the files of the Central Intelligence Agency, the FBI, and the State and Defense departments, Jervis said. In addition, the immigration officials are fingerprinting and photographing the refugees.

So far, no Vietnamese cases paralleling the Cubans that were jailed have come to light, Jervis said. He noted, however, that the security checks have been conducted only on Vietnamese who had been previously cleared in Saigon or who had relatives already in the United States.

Security checks, which take about seven days to complete, are yet to be run on the refugees that the least is known about—the upto 69,000 that escaped in small craft and U.S. Navy ships and are just now arriving in Guam, Jervis said.

Meanwhile, INS and Justice Department attorneys yesterday agreed on an oath that all the refugees, including those already cleared, will be required to sign.

The oath, designed primarily to bar any Vietnamese who served as guards at the so-called Tiger Cage prisons or engaged in other atrocities during the war, provides: "I (name) do swear (affirm) that I have never ordered, assisted or otherwise participated in the persecution of any persons because of race, religion or political opinion."

Anyone violating the oath would be subject to perjury charges, Jervis said.

Under the United Nations Protocol on Refugees, a refugee cannot be sent back to his homeland once he reaches American soil if he can show that he would be subject to persecution there.

But he can be sent to another country willing to accept him, Jervis said.

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