

## **Ashcroft Wants Thai Boy Used by Smugglers to Stay in U.S.**

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### **Body**

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Attorney General John **Ashcroft** granted "humanitarian parole" today to a **Thai boy** infected with H.I.V. who was used as a decoy in a human trafficking scheme, saying the **United States** should not deport him.

That status will allow the **boy**, Phanupong Khaisri, who is 4 and known as Got, to **stay** in the **United States** until his local guardians can apply for the new T-visa, which was authorized by the Victims of Trafficking and Violence Protection Act of 2000. The regulations for the visa have not even been released yet, but Mr. **Ashcroft** has instructed the Immigration and Naturalization Service to accept and process the **boy's** T-visa application.

"Stories like Got's can't help but move us," Mr. **Ashcroft** said at a news conference at the federal courthouse in downtown Los Angeles. "They appeal not just to our principles as a nation but to our compassion as a people. Like so many victims of human trafficking, Got is a confused and isolated figure adrift in a complex legal system."

The child arrived from Thailand at Los Angeles International Airport on April 20, 2000, as a "prop" in an international human trafficking scheme, Mr. **Ashcroft** said. Inspectors discovered that the couple he was traveling with were not his parents, but **smugglers**. The couple posed as a vacationing family in an effort to bring the woman into the **United States** to work as a prostitute. Mr. **Ashcroft** said the **boy's** mother, a convicted prostitute, "rented" the **boy** to the couple for the trip.

But when Got entered the **United States**, he became ill from an ear infection and chicken pox. Tests showed that he was H.I.V. positive.

The **boy's** father committed suicide shortly after he was born. His paternal grandparents are seeking his return to Thailand.

Piyawat Niyomrerks, the Los Angeles consul general for Thailand, said his government **wanted** Mr. **Ashcroft** to hear from the grandparents about the type of life they can provide.

"We're quite surprised and saddened by his statement," Mr. Niyomrerks said. "The child is not helpless. He has blood relatives to take care of him."

Dorothea P. Kraeger, the lawyer for the grandparents, said they would fight the T-visa. She said Mr. **Ashcroft's** order did not change the **boy's** status because a federal judge had already ruled that he should remain in the **United States**.

While Mr. **Ashcroft's** decision is a setback for the grandparents, "the decision today is not an end to the case," Ms. Kraeger said. "It has done nothing more than keep the judge's order in place."

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Ms. Kraeger called the label humanitarian parole a "fiction."

"It allows someone to be here with no immigration status," she said.

The lawyer said her clients, who are residing in Los Angeles until the case is decided, live an upper-middle-class life in Thailand.

Chanchanit Martorell, the **boy's** co-guardian, said she was "overjoyed" that Mr. **Ashcroft** stepped in.

"Mr. **Ashcroft** spared his life," said Ms. Martorell, the executive director of the **Thai** Community Development Center, which has acted as an advocate for Got. "It is really what Got has always deserved, the chance for a better life." The **boy** is **staying** with a Los Angeles couple who **want** to adopt him, she said.

Members of the Los Angeles **Thai** community fear that if the **boy** is returned to Thailand he may be **used by** traffickers again. They note that his paternal grandmother was once convicted of heroin trafficking.

Ms. Kraeger acknowledged that the grandmother, Sumalee Khaisri, pleaded guilty to heroin trafficking in the 1970's and served 12 years in prison. She received a royal pardon and was released early. "She did serve her time and she did raise three other children successfully," Ms. Kraeger said.

Ms. Martorell said she hoped a compromise could be reached with the grandparents to allow visitation.

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## Graphic

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Photo: Phanupong Khaisri, 4, brought into the **United States** from Thailand last year, was held yesterday by Janet Herold, who **wants** to adopt him. (Reuters)

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