

# When serving in the U.S. military isn't enough to prevent deportation

By NIGEL DUARA | MAR 27, 2016 | 3:30 AM |



Former Army Sgt. Valente Valenzuela, left, and former Marine Lance Cpl. Manuel Valenzuela protest in San Ysidro in 2012. Each served three years in the U.S. military before they were ordered deported. (Don Bartletti / Los Angeles Times)

When they pushed him off the prison bus into the swirling dust of the U.S.-Mexico border, they gave him only one instruction: Run.

He watched the other inmates scamper in all directions across the line dividing Laredo, Texas, from Mexico. This is how it ends, he thought to himself, after three honorable years of service in the U.S. Navy and one serious run-in with the law, he was being set adrift, here in a deadly Mexican border town hundreds of miles from home.

So he ran.

Juan Valadez once embraced the Navy's ideals: Be your best, serve with honor, protect your country. But because he was born in Mexico and taken to the U.S. as an infant, his pact with America when he joined the military came with a catch: If he ever was convicted of a felony, he would be deported.

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The only legal way to return would be in a casket — a final mercy the U.S. government grants veterans who die after deportation.

"They'll take you back once it's not no good to you anymore," Valadez said.

For much of its wartime history, the U.S. has offered naturalization to noncitizens who enlisted in the military and completed boot camp. The practice was halted after the Vietnam War and then resumed a generation later by the Army in 2009, and the Navy after that.

Valadez, 33, is one of the thousands who served in those middle years when naturalization wasn't a part of boot camp graduation.

Advocates estimate there are now at least 2,000 veterans living in northern Mexico, many in border towns such as Tijuana and Juarez where English speakers can find decent-paying work in telemarketing and other service-sector jobs. U.S. Immigration and Customs Enforcement doesn't track the military history of deportees, so it is difficult to tell exactly how many veterans the government has deported.

In Mexico, Valadez said, his military training and fluent English have drawn the keenest interest from a powerful drug cartel. In a single day, he said, he could make what he earns in a month running the sushi restaurant he now owns in downtown Juarez.

But he has a wife and young daughter now, and he resists picking up the phone. Still, when the bills pile up, the job beckons.

"They want to talk to you when you [reach Mexico]," said a military veteran in Juarez, who did not want to give his name for fear of reprisal. "They know who's here, who can do things they need."

Valadez believes going to work for the cartel, even for simple jobs like driving a truck or running security, would not only be dangerous, but a betrayal.

"I'm still an American, I'm still a sailor," Valadez said.

Valadez admits that he could have done far more to secure a foothold in America.

After boot camp, when he was deployed south of Yemen, in the Gulf of Aden, he could have found someone on his ship who could naturalize him, as the law permits immigrants on active duty abroad. But he never did, and eventually forgot about it.

The modern path to naturalization is far easier, allowing boot camp graduates to participate in a naturalization ceremony. But naturalization ceremonies were not a part of boot camp when Valadez enlisted.

**They raised their right hands and swore to defend the Constitution. They thought that made them citizens.**

— MARGARET STOCK OF CASCADIA CROSS-BORDER LAW

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A Pentagon report, issued in 2008 amid two wars, estimated that about 8,000 noncitizens enlist in the military each year. It is unclear whether enlistment numbers have continued at that pace.

After the Vietnam War, military members had to complete one year of honorable service to even begin applying for citizenship. After the September 2001 terrorist attacks, President George W. Bush signed an executive order allowing for a shorter time frame, clearing the way to a quicker path to citizenship.

The result was scattershot. Some enterprising service members in the country illegally understood the process after deployment and were diligent in filing their applications through their closest embassy. Some thought the boot camp graduation was itself a citizenship ceremony.

"They raised their right hands and swore to defend the Constitution," said Margaret Stock of Cascadia Cross-Border Law in Anchorage, Alaska, who has represented many veterans seeking to avoid deportation. "They thought that made them citizens."

Some, like Valadez, were unsure of their options.

"Military recruiters mislead people," Stock said. "They tell them that citizenship will be automatic."

Once deported, veterans are no longer able to get medical coverage, though the Department of Veterans Affairs will continue to mail them medication.

Vietnam veteran Manuel de Jesus Castano, for instance, was being treated for Lou Gehrig's disease and lupus at an El Paso Veterans Affairs hospital when he was deported in 2011. He was rebuffed every time he tried to come back to the U.S. for treatment, and in 2012 died of a heart attack. He was 55.

Manuel Valenzuela and other advocates for deported veterans helped arrange to have his body returned to the U.S. He is now interred at Ft. Bliss National Cemetery in El Paso, buried with full military honors.

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Immigrations and Customs Enforcement officials say they enforce U.S. immigration law, irrespective of a person's military status.

When Valadez returned from duty in the Gulf of Aden, he left the military and went looking for quick cash. He found it in marijuana.

He told a friend of a friend he would take a shipment of pot from El Paso to Columbus, Ohio. He said he didn't know it at the time, but he was working for the same cartel that would later ask about his services in Juarez. The entire scheme was a setup, Valadez said, and he was eventually convicted of conspiracy to transport drugs, a felony.

He spent three years in prison but said his deportation to Mexico — a country that was all but foreign to him — was essentially a life sentence.

Still, it could be far worse.

On a recent afternoon, as the heat began to build, Valadez unhurriedly prepared the restaurant for opening. With his wife behind the register, he arranged cheap wooden circular tables and chairs into a pattern his servers could move around with ease.

Here, on a busy commercial street in downtown Juarez, Valadez is a successful businessman. The restaurant is an achievement, a purchase he made after two years serving sushi from a food truck.

Half a dozen people, including dishwashers and waiters, rely on him to come to work every day, all the while resisting the pull of easy, dirty money.

"I was lucky. I had an uncle in Juarez," he said. "Some people, they just disappear."

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