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## Plea gives 'Lost Boy' chance to stay in U.S.

**BY MATTHEW JONES THE VIRGINIAN-PILOT**

NORFOLK — Abraham Matiop Ayuen fled his home in Sudan as a child when civil war erupted, outrunning government soldiers who chased him for hundreds of miles across the East African savannah. He spent the next dozen years in refugee camps in neighboring countries.

He came to the United States in 2001, with thousands of other "Lost Boys of Sudan." He ended up in Hampton Roads, where sponsors helped him find a job, enroll in community college and start a new life.

Three years later, he was in a position to lose everything once more. During a prostitution sting, Ayuen assaulted four police officers, racking up enough criminal charges to get him deported.

On Friday, he went before a judge to ask for another chance.

According to testimony, Ayuen left a club on the evening of Sept. 10, 2004, and ended up outside a motel in Ocean View, where he arranged a liaison with an undercover female police officer posing as a prostitute.

As Ayuen and the officer entered the hotel room, two other officers burst out of the bathroom, yelling that they were police and that he was under arrest.

Anyone caught soliciting a prostitute is normally issued a summons and sent on his way. This incident was different.

Ayuen began fighting the three officers, as well as a fourth who appeared soon after, according to testimony. The scuffle dragged on. At one point, Ayuen head-butted an officer holding him from behind and charged another, who had his pistol drawn. The officers finally restrained Ayuen, but by that point he had entered a whole new realm of trouble.

Ayuen was charged with four counts of assaulting a law enforcement officer and one count of attempting to disarm an officer, all felonies. He also faced one count each of solicitation for prostitution, obstructing justice and trespassing. Deportation was a real possibility.

Defense attorney Andrew Protogyrou, who took Ayuen's case pro bono, went to work crafting a plea agreement that he hoped would keep Ayuen in the country.

Ayuen ended up pleading guilty to four counts of misdemeanor assault and one each of obstructing justice and trespassing. But Protogyrou still needed to persuade a judge to give Ayuen a sentence that would not make him a candidate for deportation.

At Friday's hearing, the lawyer focused on Ayuen's remarkable past, citing an essay he wrote for a class at Tidewater Community College.

It told of how Ayuen was 6 or 7 and out herding cattle in the Sudanese countryside when Muslim militants attacked his Dinka farming village, killing his father and four siblings and burning his home to ground.

He spent the next several months walking with no clear direction, subsisting "on wild fruit, leaves of trees and whatever small animals we could kill." He saw other children his age fall to disease, exposure and wild animals.

He ended up in Ethiopia, where he stayed for about four years in a refugee camp. He returned briefly to

Sudan but was pushed back into Kenya, where he spent the next eight years in another camp before arriving in the United States.

Protogyrou, citing an April 2005 medical evaluation, argued that Ayuen suffers from depression and post-traumatic stress disorder stemming from his childhood, coupled with the culture shock and language problems of functioning in a new country.

"Did he overreact? Yes," Protogyrou said, but argued that his personal circumstances ought to be considered.

Regardless of Ayuen's troubled past, his life can't be used as a shield, nor "to keep him from conforming to our standards of behavior," responded prosecutor James Entas.

He argued that Ayuen understood enough English to negotiate the prostitution deal, so he should have been able to understand the intent of the arresting officers, who had badges and T-shirts identifying themselves.

But the prosecutor and police officers did not object to the plea agreement. Ayuen, in his heavily accented English, thanked them for their cooperation.

Then the judge, Charles E. Poston, handed down his sentence: six months in jail and a \$100 fine, with the rest of his time suspended. He gave Ayuen no more than 11 months on any one charge, which should ease the worry of deportation.

Ayuen will be allowed to serve his time in the jail's work release program. And then he'll be a free man again.



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