



Written by [R. Cort Kirkwood](#) on October 20, 2021

## Philly Rape Suspect Is Congolese Illegal Alien. Obama, Trump Failed to Deport Him

The story about the woman raped in an elevated train in Philadelphia as bystanders recorded the crime with cellphones is worse than previously thought.

It wouldn't have happened if federal immigration officials had done their jobs.

The suspect is a Congolese illegal alien, [Fox News reported](#) yesterday, whom neither the Obama nor Trump administrations deported. Fiston Ngoy should have been sent home in 2015. And when officials had the chance to boot him again in 2018, they let him stay.

Thus, those partly responsible for the rape include officials in two administrations, including the immigration judge who ruled that he could stay in the country, and any others involved in the decision.

Those last happened on President Trump's watch.



YouTube  
Fiston Ngoy

Man accused of raping woman on crowded train was released from immigration detention, never deported <https://t.co/Kl0m42fGmV>

— Fox News (@FoxNews) [October 20, 2021](#)

### The Rape

The shocking commuter-train attack, [NBC10 Philadelphia reported](#), occurred at 11 p.m. on October 15 "while other riders looked on and did not call 911, authorities said."

A cop collared the suspect only after an employee of Southeastern Pennsylvania Transportation Authority saw the suspect raping the woman and called police.

"It's disturbing that there were definitely people on the el and no one did anything to intervene or help this woman," Upper Darby Superintendent Timothy Bernhardt said, referring to the Market-Frankford Elevated Line. A suspect has been arrested.

<https://t.co/w51Bb7NdoL>

— NBC10 Philadelphia (@NBCPhiladelphia) [October 15, 2021](#)

"Superintendent Timothy Bernhardt of the Upper Darby Police Department said the assault was captured on surveillance video and he was shocked after watching the footage that showed other riders on the train at the time who did not stop the attack or call police," the station reported:



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The arrest occurred after the westbound train arrived at the station. Both SEPTA and Upper Darby employees said it appears from surveillance video that other riders on the train could have called 911 to alert police.

“It’s disturbing that there were definitely people on the El and no one did anything to intervene or help this woman,” Bernhardt said.

He continued, “It speaks to where we are in society; I mean, who would allow something like that to take place? So it’s troubling.”

Yet the station reported that bystanders should have known what would happen. They watched and filmed the suspect as he harassed the woman for more than 40 minutes.

“More than two dozen train stops passed as the man harassed, groped and eventually raped the woman,” the [station reported](#), citing SEPTA’s police chief:

Police do not believe a single witness on the train dialed 911. They are investigating whether some bystanders filmed the assault.

New details have emerged about a rape on SEPTA’s El. The victim was harassed for more than 40 minutes while some passengers held up phones, possibly to record the assault, authorities said. <https://t.co/bbcnNdZj1P>

— NBC10 Philadelphia (@NBCPhiladelphia) [October 19, 2021](#)

## **Illegal African**

But the rape is more than “troubling.” It’s yet another immigration outrage, given what Alex Pfeiffer, Fox talker Tucker Carlson’s producer, learned about the suspect.

He “came to the U.S. legally in 2012 on a student visa,” Pfeiffer reported, but never left, even after the “the 35-year-old Congolese national’s visa was terminated in 2015 because he failed to remain a student.”

That means Immigration and Customs Enforcement dropped the ball during the rule of President Barack Hussein Obama. Or the agency simply ignored the miscreant. Obama, after all, [had stopped deporting illegals](#) and [unilaterally declared](#) the unpassed DREAM Act law.

[Continued Pfeiffer:](#)

Meanwhile, court records show that he racked up “multiple arrests and two misdemeanor convictions, one for controlled substances and one for sexual abuse.” Ngoy pled guilty in 2017 in Washington D.C. to the sexual abuse misdemeanor and was sentenced to 120 days in prison and nine months probation.

He was put in immigration detention in Jan. 2018. However, he was never deported because he received a “withholding of removal” from an immigration judge in March 2019 after the Board of Immigration Appeals found that his misdemeanor sex offense was not a “serious crime” that would have made him ineligible for such a stay.

As a result, Ngoy was released and only had to report into Immigration and Customs



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Enforcement (ICE) under an order of supervision (OSUP). The Department of Homeland Security says OSUPs involve conditions being placed on those who have been temporarily released from custody, typically involving regular check-ins.

So when an illegal alien commits a sex offense, he can stay as long as it's not a "serious crime."

One would think any form of "sexual abuse" is a "serious crime." But forget that. Neither the judge nor anyone on the illegal-alien appeals board will be held responsible for the attack. Like all federal bureaucrats and elected officials, they pay no penalty when their decisions harm someone.

President Trump and a Republican-controlled Congress had a chance to revamp immigration law and policy for two full years. They didn't. ICE could have tracked him down and deported him. It didn't. They share the blame, too.



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