

NEWS

AMERICA'S ORDEAL / Activists Demand Info On Detainees

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A week after a Pakistani waiter died in a New Jersey jail, civil libertarians and local Pakistani leaders are demanding information about 1,028 people held since Sept. 11 in connection with the World Trade Center attacks. To date, none of the detainees has been charged with a crime related to the terror attacks.

The civil libertarians said many of those in custody were being held for minor infractions of immigration law that prior to Sept. 11 most likely would not have resulted in detention. They have had limited access to attorneys, and some are being held in solitary confinement, the organizations charged.

A spokeswoman for the U.S. Justice Department, responding to the accusations yesterday, said department officials are releasing all and any information that can be made public without compromising ongoing investigations.

Of the 181 people detained for immigration violations, U.S. Justice Department spokeswoman Mindy Tucker said, "They have continued to be detained because in addition to the violation, they have connections to terrorist groups or have links to terrorist activities themselves. It would be irresponsible of us to let them go out on the streets."

But, Tucker acknowledged, the immigrants have not been charged with crimes related to terrorism. "They haven't been charged, and may not be, because we may not have enough information to charge them," she said.

Representatives of the Pakistani community insist that many of their countrymen detained since Sept. 11 are hard-working, tax-paying immigrants who have little interest in politics. Muhammad Rafiq Butt, 55, the father of five who died in a Hudson County jail on Oct. 23, was waiting tables at one of the oldest Pakistani restaurants in Jackson Heights to

support his family back home.

"They didn't find anything against him except that his status expired," said Ahsanullah "Bobby" Khan of the Pakistani Community Center in Brooklyn. "The people of the United States should raise their voice that it is not fair what's going on."

In addition to those being held on immigration charges, a small number of people have been detained as material witnesses in connection with the terror attacks of Sept. 11. All of those have counsel and have been before a judge, Tucker said. The third and largest group of detainees were picked up for unrelated crimes in the course of the World Trade Center investigation; information about those charges will be made public unless sealed by a judge, Tucker said.

On Monday, the American Civil Liberties Union and 24 other organizations filed a Freedom of Information request with the U.S. Justice Department, demanding basic information about the detainees, such as the number detained, the basis for the detentions and whether those in custody have access to attorneys.

Officials of the organizations acknowledged that extraordinary times may call for extraordinary measures, but insisted the terror attacks do not justify the wholesale abandonment of basic civil rights and due process. In many cases, they said, the detainees have not been given any explanation for their detention and, in the absence of charges, cannot defend themselves.

"We're living in a different world, and different security measures may be appropriate," said Chris Dunn of the New York Civil Liberties Union. "It may be that in these times people can be held on less suspicion. It doesn't mean people should be held on no suspicion."

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