

NEWS

**IMMIGRANTS' RIGHTS NY advocates relieved but wary**

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For some immigrant advocates, Attorney General John Ashcroft can't leave soon enough.

With Ashcroft's announcement Tuesday that he will step down from the nation's top law enforcement job, lawyers and others who help immigrants were gratified that the man who embodied for them the harsh new immigration rules after Sept. 11 is leaving government.

But they also were waiting to see how Ashcroft's nominated successor, Alberto Gonzales, would deal with the Patriot Act and other regulations that made the lives of immigrants difficult in a time of heightened sensitivity to terrorism.

"It will be a very, very big relief for immigrants that he has left," said Bobby Khan, director of the Coney Island Avenue Project, an advocacy group.

Khan said his office was besieged after Sept. 11 with clients from Pakistan, Bangladesh and the Middle East who faced deportation. The group's intervention, he said, secured the release of many. In general, the overall experience for immigrants under the law enforcement programs of Ashcroft was "horrendous," Khan said.

Emira Habiby Browne, executive director of the Arab American Family Support Center in Brooklyn, said the Patriot Act brought in a time of great stress for immigrants, particularly those from the Middle East, who felt they were being religiously and ethnically profiled.

"I seriously hope the new attorney general will be sensitive to injustice because we are a part of this country," said

Browne, a native of Pakistan.

Chinatown attorney Margaret Chan also was glad to see the last of Ashcroft. She represented a number of immigration detainees in the days after Sept. 11 who she said were pulled off the street or harassed by law enforcement.

But Chan said Gonzales has to prove he will be more sensitive to immigrant rights and traditional notions of due process.

"I am just keeping my fingers crossed," she said.

Gonzales, who would be the first Hispanic attorney general, is viewed by some in Congress as less polarizing than Ashcroft.

Still, he has his own civil liberties baggage. He wrote a controversial February 2002 memo in which President George W. Bush claimed the right to waive anti-torture laws and treaties designed to protect prisoners of war. Clearly, such things will be reviewed by the Senate when it considers his nomination. It also seems to leave immigrant advocates wary.

"I am not sorry he [Ashcroft] resigned," said Wanyong Austin, an attorney with the immigrant legal services unit of Lutheran Family Community Services, based in Manhattan. "On the other hand, whether or not I am relieved or how I feel about the change remains to be seen."

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