

Center for Constitutional Rights

Discrimination, Detention, and Deportation: Immigration & Refugees

<https://ccrjustice.org/home/what-we-do/our-cases/abdel-muhti-v-ridge>

Policy Issue Resources

Mr. Abdel-Muhti was a stateless Palestinian born in the Ramallah district of the West Bank in August 1947. Because he left the West Bank before the Israeli takeover in 1967, he could not receive travel documents from Israel, the Palestinian National Authority, or Jordan that would enable him to return. Mr. Abdel-Muhti had lived without status in the United States for more than 30 years.

Mr. Abdel-Muhti first entered the country in 1963 on a visitors visa as George Muhti Nasser but was arrested and deported to Honduras shortly after for overstaying his visa. Mr. Abdel-Muhti re-entered the country a year later under an alias representing himself as a U.S citizen born in Puerto Rico. In October 1965, when convicted of illegal re-entry, Mr. Abdel Muhti *self-deported* to Peru. In November 1975, after being placed in deportation proceedings for an illegal re-entry in 1971, Mr. Abdel-Muhti for the first time told officials he was Palestinian.

Mr. Abdel-Muhti was granted the option of voluntary departure followed by an order of deportation. In July 1982, Mr. Abdel-Muhti failed to report for deportation as ordered. On April 26, 2002, Mr. Abdel-Muhti was arrested in Queens, New York by the Absconder Task Force, a joint federal-state immigration enforcement unit, for an outstanding removal order requiring him to leave the country.

His arrest came a month after he began working regularly at the New York radio station WBAI-FM, arranging interviews with Palestinians in the Occupied Territories. After a 17-month-long wait for a hearing, at which point Mr. Abdel-Muhti had been in custody for approximately 15 months past the reasonable period of detention without being successfully removed, the ruling came just nine days after oral arguments at the federal court in Harrisburg, Pennsylvania.

The Supreme Courts 2001 ruling in *Zadvydas v. Davis* mandates the release of immigration detainees who prove to be *undeportable* after six months. Mr. Abdel-Muhtis detention lasted 718 days nearly 23 months with more than 250 days in solitary confinement. Nonetheless, the government refused to release him or grant bond, first claiming it was on the verge of deporting him, then arguing that the Zadvydas ruling should not apply because he had obstructed his own removal by intentionally confusing his identity. The court rejected this claim resoundingly, saying the agency had failed to inform Mr. Abdel-Muhti of what he could do to expedite his own removal, and called the governments repeated demands for more information about his identity a *Kafkaesque exchange* culminating with a last-minute government request that he resubmit the same type of Israeli visa request that Israel had rejected in his case some 30 years ago.

As a result of the governments stalling tactics and its efforts to circumvent the Zadvydas precedent, Mr. Abdel-Muhtis prolonged imprisonment added up to 718 of his final days.

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