

Al-Arian's bid to leave jail faces new hurdle

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Body

As testimony continued Monday in Sami **Al-Arian's** bail hearing, the question of whether he will get out of **jail** before trial became even murkier.

Federal immigration officials have notified the lawyers for Al-Arian and one of the other defendants in the case of their intent to keep the two men in custody, even if the magistrate grants them bail.

Al-Arian and Sameeh Hammoudeh are not citizens of the United States, unlike the other two defendants, Hatem Fariz and Ghassan Ballut. Immigration officials can keep noncitizens in custody to make sure they are available for potential deportation hearings.

"That's going to be a difficult issue, but it should not affect" the judge presiding over the current bail hearing, said **Al-Arian's** attorney, Nick Matassini. "Hopefully, we won't have to go through another detention hearing in front of the immigration judge. If we do, we will let him know what kind of a man (Al-Arian) is as well."

In court Monday, two more character witnesses called Al-Arian, a fired University of South Florida professor, "dynamic" and "hardworking."

"I've never seen anyone work as hard as this man," said Pilar Saad, a former teacher at the Islamic Academy of Florida, a school Al-Arian founded. ". . . He loves America."

The testimony came on the third day of a bail hearing that will probably continue until Wednesday. U.S. Magistrate Judge Mark Pizzo is hearing testimony to determine whether to grant some or all of the men bail or keep them in custody until their cases are resolved.

The four men were arrested last month on charges that include conspiracy to commit racketeering and conspiracy to murder, maim or injure people on foreign soil, including U.S. citizens.

The indictment does not accuse Al-Arian or the three other defendants of planning or carrying out any terrorist attacks. The allegations focus on their role in supporting and raising funds for the Palestinian Islamic Jihad, a terrorist group.

Matassini told the judge he had six more witnesses to present. Prosecutor Walter "Terry" Furr said he would take no more than 30 minutes to present his case for keeping the four defendants in **jail**.

Outside of court, **Al-Arian's** family members said they are having trouble raising money for his defense. If the family can't afford to pay Matassini beyond the bail hearing, the court could appoint a lawyer to the case.

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"We're just like a lot of average Americans in this country," said **Al-Arian's** wife, Nahla Al-Arian. "We don't have a lot of money."

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Graphic

PHOTO; Sami Al-Arian

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