

In Reversal, Immigration Judge Frees Iraqi Dissident

The Washington Post

August 19, 2000, Saturday, Final Edition

Copyright 2000 The Washington Post



Section: A SECTION; Pg. A10

Length: 442 words

Dateline: LOS ANGELES, Aug. 18

Body

Calling charges of espionage "ill-founded," an immigration judge today freed an Iraqi dissident who had been jailed for nearly four years based on secret government evidence suggesting he was a spy for a Mideast country.

"I was kept for four years by the INS for things I never heard about," said Ali Yasin Mohammed Karim, 39, as he left the Immigration and Naturalization Detention Center in San Pedro today. "I am innocent, but I have paid a high price."

Karim was part of a group of six dissidents evacuated from Iraq by the United States in March 1997, then jailed by the INS and threatened with deportation to their homeland. The case against them was based on classified evidence kept secret from defense attorneys during immigration hearings in 1997 and 1998.

Their plight garnered national attention when former CIA director R. James Woolsey, now a Washington lawyer, joined Karim's defense team and spearheaded the effort to declassify the government's evidence.

After the information was released, five of the Iraqis accepted a government offer to remain in Nebraska until they could relocate to another democratic country.

Karim, however, decided to fight the charges and pressed his claim for political asylum. He was retried in April by U.S. Immigration Judge D.D. Sitgraves, who originally concluded that Karim was a threat to national security.

In reversing her earlier decision, Sitgraves said that Karim "has sufficiently demonstrated that the government's claims were ill-founded and has rebutted the presumption that he constitutes a risk to the security of the United States."

Sitgraves said the screening process used by the FBI to determine if Karim was a potential security threat was insufficient and conducted by agents who had limited knowledge about Iraq and its people.

Political asylum in the United States should be granted, she ruled, because the physician has established a well-founded fear that he would be persecuted and tortured if sent back. She also issued the same ruling for his mentally ill brother, Mohammed.

In Reversal, Immigration Judge Frees Iraqi Dissident

Overall, Sitgraves concluded that the low standard used to prove security risks, combined with the initial veil of secrecy, kept significant issues and facts hidden from Karim's attorneys until the evidence was declassified.

"He was a victim of the use of secret evidence by the government," said Niels W. Frenzen, an attorney with Public Counsel in Los Angeles, which represented the former ***Iraqi*** National Congress member. "These were freedom fighters. They risked their lives. They risked the lives of their families. Then they were betrayed by the U.S. government."

Classification

Language: ENGLISH

Subject: ***IMMIGRATION*** (92%); ESPIONAGE (90%); ***JUDGES*** (90%); ***IMMIGRATION*** LAW (90%); JAIL SENTENCING (90%); NATIONAL SECURITY (89%); LAWYERS (89%); POLITICAL ASYLUM (89%); DEPORTATION (78%); CITIZENSHIP (78%); US FEDERAL GOVERNMENT (78%); REBELLIONS & INSURGENCIES (78%); NATURALIZATION (78%); IMMIGRANT DETENTION CENTERS (78%); DEMOCRACIES (77%)

Industry: LAWYERS (89%)

Geographic: LOS ANGELES, CA, USA (79%); CALIFORNIA, USA (79%); IRAQ (94%); UNITED STATES (94%); MIDDLE EAST (79%)

Load-Date: August 19, 2000

End of Document