

GROUPS SAY RULES HARM IMMIGRANTS RIGHTS

Chicago Sun-Times

September 20, 2001

By Ana Mendieta Staff Reporter

Lawmakers, civil liberties groups and immigration lawyers are concerned the manhunt for terrorists may strip innocent people of their rights, especially under a new regulation that permits the indefinite detention of legal or illegal immigrants suspected of terrorist activities.

U.S. Attorney General John Ashcroft has issued a regulation allowing the Immigration and Naturalization Service to lengthen the detention of immigrants--either legally or illegally in this country--to 48 hours, up from 24 hours, before deciding whether to charge them with terrorist acts.

The INS will also be able to hold an immigrant suspected of terrorism indefinitely under "extraordinary circumstances," such as the aftermath of a massive attack like last week's.

"People should not be alarmed or overly concerned about this," INS spokeswoman Karen Kraushaar said. "This is an unusual time in our county's history where we are under a grave threat of continuous terrorist attacks, and that is why this regulation is necessary."

But immigration advocacy groups in Chicago say the regulation would violate basic civil rights and unfairly target immigrants who have made America their home.

"Of course we are horrified," said Elizabeth Rothkopf, director of immigrant legal services at World Relief. "We have been questioning the constitutionality of existing laws since 1996, let alone measures that would allow for indefinite detentions for the undocumented and legal permanent residents alike."

The new regulation comes as a "shock" and would create a double set of detention standards, said Dale Asis, executive director of the Coalition for African, Asian and Latino Immigrants of Illinois.

"It raises a big red flag of inequity, why a set of laws for Americans and a set of laws for immigrants? And just because a permanent resident has not yet filed for citizenship, will their rights be gone? That is not fair," Asis said.

Billy Weinberg, spokesman for Rep. Luis Gutierrez (D-Ill.), said the detention for all immigrants, regardless of their legal status, is "very

disconcerting. It's worth reminding people that they [legal permanent residents] are here and have proven to the government that they have a long-standing commitment to the U.S."

But Dave Gorak, executive director of the Midwest Coalition to Reform Immigration, said his organization supports the new detention rules because the priority should be the protection of all Americans.

"We are not here to say that all immigrants are terrorists, but the fact is that we are letting in too many people and too easily, and that has to be stopped," Gorak said.

Ashcroft is also asking Congress to give the Justice Department greater police powers.

Proposed legislation would greatly expand the federal government's wiretapping authority and allow authorities to seize voice-mail messages. The bill also proposes no statute of limitations for terrorism offenses and would apply anti-racketeering penalties to those accused of terrorism.

The legislation also would expand search and seizure authority and strip immigrants detained in connection with terrorism of their rights to hearings or judicial review.

Gary Chodorow, a Chicago attorney with Gessler, Hughes & Socol, said he is troubled by the Bush administration's proposal to deport aliens suspected of terrorism without judicial review.

"If the past is of any indication, people who are not criminals or terrorists will be ordered deported without any chance to challenge the evidence against them," Chodorow said. "When we are talking about national security we are talking about an issue of the utmost importance. But this is not the time to take away civil liberties without thought or discussions."

Contributing: Gannett News Service