

'Lenient' sentence is key in Paterson imam case (HERALD)

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Reda Eid, of Lodi, distributes flags before Imam
Mohammad Qatanani enters the Peter W. Rodino Jr. Federal Building in Newark for
the third day of his deportation trial. (KEVIN R. WEXLER / HERALD
NEWS)

Hamas guilt carries years in Israel, not months

NEWARK -- If Imam Mohammad Qatanani had been convicted in Israel as a member
of the terrorist organization Hamas, he would have been imprisoned for much
longer than three months, a lawyer testified Monday.

In Qatanani's deportation trial, Jonathan Kuttab, a lawyer who has practiced
in Israel for 30 years, said a Palestinian found guilty in an Israeli military
court of such a charge would receive a sentence of several years.

"It struck me that if he was convicted, they didn't have anything against
him," said Kuttab during the hearing on Monday at the U.S. Immigration Court in
Newark.

U.S. Immigration Judge Alberto J. Riefkohl agreed that the sentence seemed
"very lenient."

Qatanani stands accused of failing to disclose on his green card application

that he had been arrested by the Israeli military in 1993 and jailed for three months, accused of aiding Hamas. If Riefkohl finds that Qatanani lied on his application, he and his family could be deported.

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- Photo Gallery: The second day of the Paterson imam's deportation hearing

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In the third day of the trial, the defense called three experts on Israeli military courts to the stand. For seven hours, a professor, a human rights advocate and Kuttab discussed the court system in 1993, when the cleric was arrested while crossing between Jordan and the West Bank.

Of the estimated 15,000 Palestinians processed by courts there in 1993, 2 percent were acquitted, according to statistics from the B'Tselem human rights group in Israel mentioned in court Monday.

For 12 years, Qatanani has served as the religious leader of the Islamic Center of Passaic County in Paterson. He is respected nationally for being a voice of moderation and for his condemnation of terrorism after Sept. 11.

Outside the hearing, about 200 people braved the rain to rally in front of the Peter W. Rodino Federal Building on behalf of the imam.

"I'd do anything to help him in his situation," said Ayah Zaki, 14, of Lodi.

The trial has repeatedly returned to the question of whether Qatanani was arrested and convicted in an Israeli military court in 1993, or underwent an administrative detention, the process of holding Palestinians based on classified intelligence and then released without charges.

Detentions of Palestinians increased dramatically in Israel during the Palestinian uprising between 1987 and 1993, according to Lisa Hajjar, chairwoman of the Law and Society Program at the University of California, Santa Barbara. The detentions were used to gather intelligence about anti-Israel militants at a time that the country had lost many of its informants.

Hajjar, who witnessed hearings in the early 1990s and interviewed 150 people involved in the court system, said those detained often would not know if they had been convicted of any crimes.

"It's something bad that happens to them, not something that happens because they are bad," said Hajjar, before a packed courtroom of the imam's supporters, who included Christian pastors and Muslim schoolgirls.

The Israeli government released court documents to U.S. investigators that detail the cleric's conviction. Riefkohl has allowed them to be discussed, but not yet admitted them to the court because of discrepancies.

During his testimony, Kuttab questioned why a letter provided by the Israeli government in releasing the documents had no government seal or Jewish menorah on top, as is custom for government documents. He also faulted the inability to produce Qatanani's confession.

Kuttab, who represented hundreds of Palestinians in Israeli military courts, said the confession would be a "central document" in a conviction.

Much of Monday's hearing examined whether the Israelis used torture to get confessions from those held. All three witnesses for the defense said that interrogators hooded Palestinians with foul-smelling burlap bags, handcuffed them to small chairs with the front legs sawed off and disoriented people with sleep deprivation. Israel did not consider these methods to be torture.

The final court date was pushed back to June 2 because of court scheduling. A fourth day was added last week because of the number of witnesses and complexity of topics being addressed. On Monday, the Department of Homeland Security added another lawyer to the prosecution, now numbering three.

During the questioning of the imam next month, the defense will seek to establish that the lawyer listed on the conviction documents was not the attorney representing Qatanani in his plea bargain.