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## **Jailed Palestinian Professor Sami Al-Arian to Be Deported After Prosecutors Fail to Convict Him on a Single Charge**

Federal authorities have decided to deport a former Florida professor after failing to convict him on charges he helped lead a Palestinian militant group.

Sami Al-Arian reportedly signed a plea agreement with prosecutors to plead guilty to a lesser version of one of the charges and be deported. The arrangement requires the approval of a judge.

Al-Arian has remained in jail since he was acquitted in December of the eight of the 17 federal charges against him and the jury deadlocked on the rest. The verdict was a major defeat for Bush administration prosecutors. Following his arrest in February 2003, Al-Arian's trial was seen as one of the biggest courtroom tests of the search and surveillance powers granted under the Patriot Act. The government's case was built on hundreds of documents, including thousands of hours of wiretapped telephone calls, intercepted e-mails and faxes and bank records gathered over a decade.

The government accused Al-Arian and eight others of racketeering, conspiracy and providing material support to terrorists. The jury failed to return a single guilty verdict.

Under the new plea deal, Al-Arian would plead to a watered-down version of one of the counts accusing him of providing good and services to the militant group Palestinian Islamic Jihad. Federal prosecutors must concede that Al-Arian did not commit a crime of violence, and that there are "no victims direct or indirect" to his crime.

Al-Arian's former attorney, William Moffit, told the Tampa Tribune "I have no reason to believe they were not going to try Sami again. Why take the risk?... If he wins again, don't you think these fools will try him again? It was time for it to be over."

It is not clear where the government would deport Al-Arian who is a Palestinian born in Kuwait and raised mostly in Egypt. He has lived in the United States for 30 years and holds permanent residency status. His five children were born in the US and are all American citizens. His own bid to become a U.S. citizen was denied in 1996.

Until his arrest, Al-Arian was one of the most prominent Palestinian academics and activists in the United States. He was invited to the White House during both the President Clinton and Bush administrations and he campaigned for President Bush during the 2000 election.

**AMY GOODMAN:** For more on the issue, we're joined by John Sugg, senior editor for *Creative Loafing*, which is an alternative weekly newspaper. He has closely followed Sami Al-Arian for the past ten years. He speaks to us from Atlanta. Welcome to Democracy Now!

**JOHN SUGG:** Hi, glad to be here.

**AMY GOODMAN:** Well, tell us what the latest is on the Sami Al-Arian case.

**JOHN SUGG:** Well, the latest is that the government doesn't have a case and didn't have a case, but this was never an issue about the government having a case. This is an issue that there were folks that wanted Sami Al-Arian silenced. This thing began in 1994 with a documentary, if you want to call it that, by Steven Emerson, well known for his disinformation, and it's continued since then. I mean, the government's case is so poor, you know, with 400,000 separate conversations on wiretap, the government could find a few hundred that they introduced as evidence, and these were ludicrous, most of them.

For example, the government claims—they've been reading too many *Godfather* novels or watched the movie too often—but they claim that every time one of the defendants mentioned, quote/unquote, "the family" on the phone, that that was code word for the Palestinian Islamic Jihad. So when one defendant would call up his mother—this was Sameeh Hammoudeh—would call up his mother and say, "How is the family?" the government claimed that he was asking how is the Palestinian Islamic Jihad.

So, I mean, the jury saw through that, you know, on the counts that were hung, that the jury couldn't reach a verdict. There was never more than two jurors on any of the counts that voted for guilty. So, you know, and don't forget, the government spent—I've been told by federal sources that the government spent close to \$50 million on this case. They expended thousands of hours of FBI time, prompted by Steve Emerson and the *Tampa Tribune*. And in the end they came up with nothing. What they did miss with all this time that they spent in Florida is that they missed another guy, Mohamed Atta, who was living in the state, too.

But I think that, you know, this—what the deal will do, it will allow the government to say, 'Look, this man, this evil man pled guilty to,' I believe, 'the count of conspiracy to assist a terrorist organization.' But I should also say, as I've reported, and after seven years the *St. Petersburg Times* finally discovered the same story, that the chief criminal prosecutor for the U.S. Attorney's office in Tampa, a guy named Bob O'Neill, he owns a business that raises money for the Irish Republican Army and Sinn Fein. There's no difference between the two, as we know now.

But if you're talking about conspiracy to support a terrorist organization, well, I guess O'Neill is guilty of the same thing, but he's not going to be deported. Or you could look at the ultra rightwing congressman down in Miami, Ileana Ros-Lehtinen who supports the MEK, an Iranian group that's on the same list of terrorist organizations as the Palestinian Islamic Jihad. I mean, at the very least what you have here is this selective enforcement of supporting terrorist organizations.

**AMY GOODMAN:** John Sugg, I wanted to ask you also about one of Sami Al-Arian's co-defendants, Sameeh Hammoudeh. In December he was acquitted of all the charges against him, yet he remains in prison. You wrote a column about his case called "If America still has liberty, free Sameeh Hammoudeh." Can you talk about his case very briefly?

**JOHN SUGG:** Well, He never had any involvement at all in any material way with this case. Sami Al-Arian was a vocal proponent for his cause. He was involved, as it came out in the trial, he was involved with the Islamic Jihad, but only in the period before 1995 when it hadn't been illegal—when it would have been legal to have done so. As that group veered into violence, Al-Arian broke with it. And that's clear from the court record.

But anyway, Hammoudeh never had any involvement. He was just a Palestinian going to school, and none of the conversations show any guilt at all. So he was found not guilty on every count, while the government, perhaps anticipating that it would try Sami again, they have kept him in jail as just a—he's a hostage.

**AMY GOODMAN:** His family went to the airport thinking that he would be brought to the airport and they would all leave the country together, thinking he was going to be deported. They uprooted from here, all the kids, and then when they got to the airport they were told, he wasn't going to leave?

**JOHN SUGG:** Right, well, his family went to Jordan and waited there for a week based on the government's promise that he would be released. I mean, you know, this is psychological torture.

**AMY GOODMAN:** And you're saying he's being held to put pressure—to try to put pressure on Sami Al-Arian or to reveal something, if there were another trial?

**JOHN SUGG:** Right.

**AMY GOODMAN:** So if he gets deported, Sami Al-Arian, then Sameeh Hammoudeh would be deported?

**JOHN SUGG:** Right. And, you know, the whole history of this case, as I've reported over the last more than ten years, the government has done a lot of this sort of stuff. They have a schoolteacher down in the area, came to me one time. He was an Iraqi who had fled Saddam Hussein, and the government had—

**AMY GOODMAN:** We have five seconds.

**JOHN SUGG:** Anyway, the government has used a lot of pressure on people to get them to flip and testify against Sami. None did. That's very significant.

**AMY GOODMAN:** Well, John Sugg, we'll have to leave it there but we will continue to follow this case. I want to thank you very much for being with us, of *Creative Loafing*.