

# Pakistani immigrant dies in US custody

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The death of a Pakistani immigrant being held by US authorities underscores the serious violations of civil liberties suffered by the hundreds of non-citizens detained without recourse to legal due process in the wake of the September 11 terrorist attacks.

Mohammed Rafiq Butt, 55, died October 23 of apparent heart failure in his jail cell at the Hudson County correctional facility in Kearny, New Jersey. The facility holds some 280 immigrant detainees. A cellmate discovered the body lying face down on a cot. Authorities did not publicly acknowledge the death until the next day.

The Pakistani immigrant was taken into custody during the police roundup of hundreds of Arab, Muslim and other immigrants following the hijack/bombings of the World Trade Center and the Pentagon. Butt, a restaurant worker living in Queens, New York, was charged with overstaying his visa, a relatively minor infraction.

The Federal Bureau of Investigation said that Butt was not able to provide any information of value regarding the terrorist attacks and had voluntarily agreed to be deported. A spokesman for the Immigration and Naturalization Service said that the immigrant was being held until the Pakistani Consulate could issue a valid passport. However, officials at the Pakistani Consulate said they were never informed of the arrest of Butt nor had US authorities requested travel documents.

Immigration officials did not explain why Butt had been held for over one month when he had agreed to be sent back to Pakistan. Butt's nephew said that his uncle had not complained of any health problems prior to his arrest.

Pakistani officials said Butt never attempted to contact them. Prison officials later told the consulate that Butt had complained of a genetically modified disease and was being treated with antibiotics. If Butt

had been willing or able to contact the consulate, Pakistani officials would ordinarily have notified his family and possibly arranged legal help. Indeed, prior to September 11, immigrants in the same situation as Butt could, in many cases, expect to be set free pending their deportation.

Government officials are refusing to release information about detainees rounded up in the anti-terrorist dragnet and have made it difficult for those incarcerated to obtain legal counsel. According to an October 15 report in the *Los Angeles Times*, "Judges are denying bail, closing hearings, and sealing documents. Prosecutors are refusing to divulge what is occurring behind closed doors in jails and courtrooms. Defense attorneys often do not know what is happening to their clients, or they refuse to discuss them."

"Federal authorities refuse to disclose even the number of people in custody."

Attorneys complain of rampant mistreatment of the detainees. One Saudi man, a sales representative being held on minor immigration charges in Texas, was shackled in leg irons while meeting his family. He was denied a drinking cup or even a mattress or a blanket.

There are reports of physical assaults and other abuse directed against those being held in custody. In Mississippi, a 20-year-old Pakistani student said he was stripped and beaten by other inmates while guards looked on. Later he said he was denied proper medical care.

"I think it's totally depressing and sad," said Jeanne Butterfield, head of the American Immigration Lawyers Association in Washington. "It just underscores our concern that there needs to be more openness. We've been clamoring for information about who is being detained and do they have access to counsel. But I can't get anything."

Nancy Chang, head of the Center for Constitutional Rights in New York, said that her attempts to get

information have been stonewalled. “It’s pretty extraordinary,” she said, commenting that the gag orders being issued by judges are unprecedented in their scope.



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