

# The Trials of Rasmea Odeh

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Rasmea Odeh, a 67-year-old Palestinian-American, associate director of the Arab American Action Network and organizer of the acclaimed Arab Women's Committee in Chicago, was convicted in Detroit on November 10 of "unlawful procurement of naturalization" at the time she became a U.S. citizen in 2004.



Her imprisonment immediately afterward has been the most shocking part of the case, as explained below.

The verdict itself, announced after only two hours of jury deliberation, looked practically inevitable in the wake of Federal Judge Gershwin Drain's pre-trial rulings that crippled her legal defense. The government relied on documents from Odeh's naturalization application, as well as earlier ones from 1995 when she first applied at the U.S. consulate in Jordan for permanent legal residency in the United States.

On those documents she did not disclose her 1969 arrest and conviction for a bombing in Israel, or the ten years she served in prison before her release in 1979 in an Israeli prisoner exchange with the Popular Front for the Liberation of Palestine.

That all may sound straightforward and incriminating enough, to an uninformed observer. Missing from the trial, however, were all the relevant circumstances and background, which the defense was forbidden to present.

When Rasmea Odeh was arrested 45 years ago, in a mass roundup in the West Bank following the bombing of a Jerusalem supermarket and subsequent bombings at the British Consulate, she was tortured for 25 days of her 45 days in detention - including violent sexual assaults - and finally "confessed" in the face of threats to torture her family. She retracted that confession but was sentenced nonetheless to two life terms by an Israeli military court, where rates of conviction exceeded 99%.

Judge Drain, after stating in a pre-trial hearing that he found Odeh's account of torture "credible," later ruled evidence relating to the torture to be inadmissible. The government was allowed to say that she was convicted of the bombing charges (although enjoined from using the word "terrorism"). Expert testimony from Dr. Mary Fabri, who has diagnosed Rasmea with post-traumatic stress disorder resulting from her torture, and was prepared to testify to its effects on her memory, was also excluded. In today's political climate, it's not hard to imagine how steeply the deck was stacked against the defense.

The defense team headed by attorney Michael Deutsch could essentially argue only two points. First, the questions as worded on the immigration and naturalization forms, on which Odeh stated in 1994 and 2004 that she had no arrest record, were far from clear. Second, with the aid of eloquent expert testimony from Professor Nadine Naber and Rasmea's own account on the witness stand, the

defense brought out the record of her astonishing successes among primarily Arab immigrant women in Chicago. (See an article by Professor Naber on Odeh's work.)

Odeh testified that she initially applied for U.S. residency in 1994 in order to assist her father, then living in Michigan along with her older brother. (Rasmea's English was almost nonexistent at the time, and the immigration documents were largely filled out and mailed to her by the brother.) Rasmea explained that ten years later, after her father had died and her brother had also recently passed away, her plans to return to Jordan changed when she visited Chicago and encountered the conditions facing women and girls in the Arab immigrant community.

These women, as both Rasmea and Professor Nader testified, face the realities of harsh "external" treatment from a sexist and racist U.S. society, but also "internal" oppression within a community where they are often forced to be virtually cloistered. Seeing these dreadful conditions, Rasmea stated, she determined to become a naturalized U.S. citizen and devote her life to community service and organizing.

The results by all accounts have been amazing. The large contingent of supporters who came to Detroit for the week of the trial included not only political activists from Chicago and Minneapolis, but also a substantial group of the immigrant women whose lives Rasmea has helped transform, and who clearly cherish her.

That's why the events immediately following the verdict have struck observers as particularly horrific. Judge Drain convened a brief "detention hearing" and two hours later emerged from his chambers to revoke Rasmea's bond and to order her *held until her sentencing, scheduled for mid-March 2015*. She was then promptly handcuffed and shipped to the county jail in Port Huron, Michigan, some 400 miles from her Chicago community.

This action throws some light on a question that defense attorney Deutsch could raise only in passing during his closing argument: *Why the prosecution of Rasmea Odeh now?* It came out in the course of the government's case that Odeh's immigration papers and arrest record had been under investigation for more than three years. Why the expenditure of such time and resources on a woman now 67 years old, undoubtedly an outspoken Palestinian activist but clearly no "threat" to anyone?

As journalist Charlotte Silver reported in the online Electronic Intifada: "Odeh's conviction carries a maximum penalty of ten years in prison, as well as fines. Prosecutors indicated in court that they are likely to seek a prison term of no less than 21 months."

Imprisonment will also be followed by deportation proceedings (when Odeh would be close to 70 years old). Silver continued:

"In granting the prosecution's request to detain her immediately, Drain... invoked her attempt to escape from an Israeli prison in 1975 as proof that she poses a flight risk. The judge also asserted that Odeh 'has no real ties to anyone in Chicago' that would prevent her from fleeing the country before sentencing, a pointed dismissal of the dozens of friends and supporters who had travelled from Chicago to Detroit to attend pretrial hearings for over a year, and who were present every day during Odeh's trial."

That the judge would say she has "no real ties" in Chicago, and the exclusion of evidence of torture that he originally deemed "credible," itself lends credibility to the suggestion that Odeh's case from the beginning has been a politically selective prosecution with some high-level string-pulling. An Israeli group called Shurat HaDin, linked to the Mossad spy agency, boasts that it obtained the 45-

year-old documents that wound up in the hands of the U.S. Department of Justice.

The case also appears to be linked to federal government attempts to haul activists from Chicago and Minneapolis before grand juries, which so far the activists have been able to successfully defy.

The immediate effort is to get Rasmae Odeh's bond restored during her appeal. Dr. Fabri, the clinical psychologist and torture expert, warns that Odeh's imprisonment now may trigger her PTSD. In addition, according to Hatem Abudayyeh of the Rasmae Defense Committee, Odeh is being held without her blood pressure medication in a prison that is miserably cold.

A motion has been filed to secure Rasmae's release. According to Abudayyeh:

"The government is required to respond to this motion by November 19, and after that, the judge could rule quickly. As we await that ruling, we need to keep up the pressure. **Two hundred individual and organizational letters have already been submitted by supporters to Judge Drain**, urging him to release Rasmae now, but there is still time to collect more. Use the sample letter here and send yours to [justice4rasmea@uspcn.org](mailto:justice4rasmea@uspcn.org) right away.

"[A] second motion asks the judge to **set aside the jury's November 10 verdict and either acquit her or schedule a new trial**. It argues that there was not sufficient evidence presented at trial to prove her guilty beyond a reasonable doubt, and describes how Rasmae was denied her 'right to present a complete defense.' This motion puts on record the many injustices that led to the guilty verdict.

"Some of you have already sent letters to Rasmae. She has called her Chicago colleagues from jail twice and written letters to them, and received a few visitors as well. Her spirits are high and she is looking forward to the next step in the fight for justice in her case. We encourage you to continue to send these letters to her. **(Please remember that prison authorities will read all of these letters before Rasmae gets them.)** *Rasmieh Odeh #144979, St. Clair County Jail, 1170 Michigan. Port Huron, MI. 48060.*"

Rasmae Odeh's life has been one of many trials, in Palestine, in exile and in America. At age 67, she deserves better treatment than this biased and selective prosecution. To follow the progress of this struggle, you can get updates at the U.S. Palestinian Community Network website, [www.uspcn.org](http://www.uspcn.org).

*David Finkel is an editor of Against the Current and an active member of Jewish Voice for Peace in Detroit.*