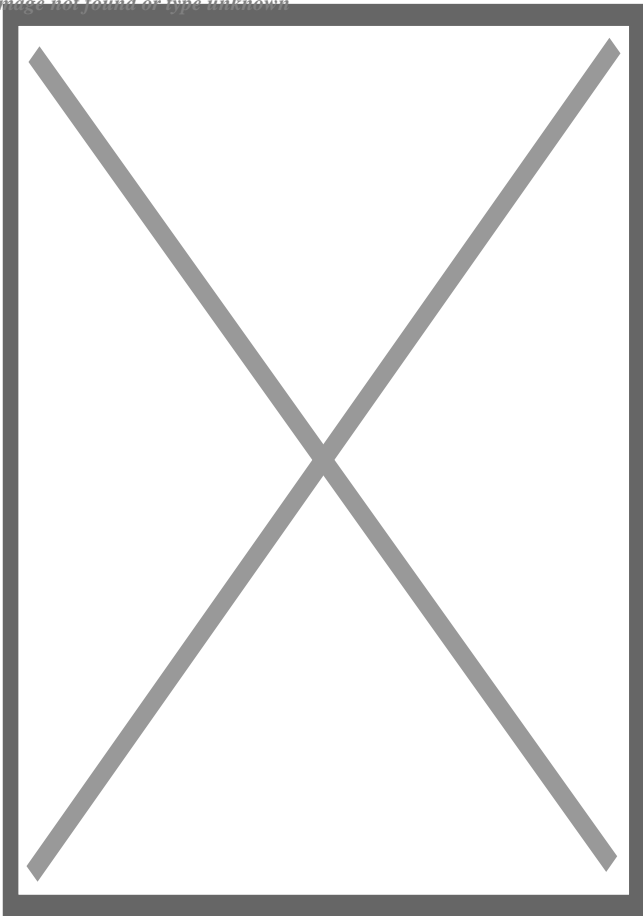


Columbia University protester Mahmoud Khalil freed from ICE detention

Image not found or type unknown



New York, June 20 (RHC)-- Former Columbia University student Mahmoud Khalil was freed from detention on Friday after a federal judge ordered his release, ruling that the government's efforts to keep him in custody were highly unusual and potentially a form of punishment for his political views.

Khalil was the first noncitizen activist to be arrested and detained by the Trump administration this year as it launched a crackdown on what it said was antisemitism on college campuses.

Khalil, a legal permanent resident, was arrested in New York in March and flown to an Immigration and Customs Enforcement detention center in Louisiana. In April, his wife gave birth to their first child, Deen.

U.S. District Judge Michael Farbiarz of New Jersey said Friday that prosecutors had not provided a legitimate justification for Khalil's continued detention.

The government's bid to keep Khalil detained based on a relatively minor alleged immigration infraction when he is neither a flight risk nor a danger to the community is "highly, highly, highly unusual," Farbiarz said.

The facts of the case suggest that there is "at least something to the underlying claim" that the government is using the immigration system to punish Khalil for his activism, the judge said. "And of course that would be unconstitutional."

Just before 8 p.m., Khalil walked out of the detention center in Jena, Louisiana, flanked by his lawyers and wearing a kaffiyeh, a symbol of Palestinian solidarity.

No person "should actually be detained for protesting a genocide," Khalil said. "Justice will prevail."

The first thing he hopes to do after 104 days in detention, he said, is "just hug my wife and son."

The judge's order to release Khalil on bail marks the latest setback for the Trump administration in its pledge to detain and deport what it has termed "pro-jihadist" students, with federal courts delivering a string of defeats to the government in recent weeks.

One by one, the targeted students and scholars have been released as judges have taken a dim view of the rationale offered by prosecutors for their detentions. The lawyers for the detainees have said their arrests are a form of unconstitutional retaliation for their activism in opposition to the war in Gaza.

Those freed in recent weeks include Rumeysa Ozturk, a Turkish graduate student grabbed by masked federal agents outside her apartment; Mohsen Mahdawi, a Palestinian student detained at his citizenship interview; and Badar Khan Suri, an Indian scholar at Georgetown University seized outside his home in Virginia.

Federal courts have "uniformly rejected the Trump administration's efforts to target international students" and green-card holders based on their speech, said Elora Mukherjee, a law professor at Columbia University. Taken together, Mukherjee said, the rulings send a clear message that the administration "shouldn't be snatching up peaceful protesters and those who write op-eds."

Khalil had been detained far longer than any other targeted student and has not been accused of any crime. Instead, officials initially relied on an obscure provision of immigration law to arrest him and launch deportation proceedings.

The provision allows the secretary of state to determine that a noncitizen's presence in the country would harm a "compelling" foreign policy interest. In a March memo, Secretary of State Marco Rubio said that Khalil's participation in "antisemitic protests" fostered a "hostile environment for Jewish students" and undermined U.S. foreign policy.

Last month, Farbiarz found that the provision of immigration law cited by Rubio was probably unconstitutional because of its vagueness, and last week, Farbiarz blocked the Trump administration from continuing to detain Khalil on foreign policy grounds.

However, prosecutors subsequently said they were detaining Khalil based on a different rationale, namely their allegation that he had omitted information on his application for permanent residency.

His lawyers deny that claim. Farbiarz also noted previously that the government “virtually never” detains immigrants solely on that basis.

Tricia McLaughlin, the assistant secretary for public affairs at the Department of Homeland Security, called Farbiarz a “rogue district judge” and said Friday’s ruling was “yet another example of how out of control members of the judicial branch are in undermining national security.”

“The Trump administration acted well within its statutory and constitutional authority to detain Khalil,” McLaughlin said in a statement, adding that she expects a higher court to vindicate that position.

While Khalil was released on bail in his federal detention case, his immigration proceeding will continue. On Friday, an immigration judge in Louisiana denied Khalil’s request for bond — a decision overruled by Farbiarz’s order.

For Khalil and his family, there was relief and exultation. “We can finally breathe a sigh of relief and know that Mahmoud is on his way home to me and Deen, who never should have been separated from his father,” Noor Abdalla, Khalil’s wife and a U.S. citizen, said in a statement.

Khalil was born and raised in a refugee camp in Syria and went to college in Lebanon. He and his wife moved to the United States in 2023 to begin his graduate studies at Columbia. That fall, protests over the Israel-Gaza war erupted.

Khalil was a prominent leader in the protests who interacted with the media without disguising his identity. While President Donald Trump has called him a “Radical Foreign Pro-Hamas Student,” the government submitted no evidence in the case to back up those assertions. Instead, friends and colleagues described Khalil as someone who defused tensions and acted as an intermediary between student protesters and the university administration.

Several Jewish students at Columbia wrote letters to the court attesting to his commitment to nonviolence and dialogue, and Khalil told CNN last year that “antisemitism and any form of racism has no place on campus and in this movement.” Khalil missed his graduation from Columbia’s School of International and Public Affairs in May because of his detention.

Khalil was freed without any form of GPS monitoring, and ICE officials will return his green card, although they will retain his passport. Under the terms of his release, he will be able to travel to New York, Michigan, New Jersey and Louisiana, as well as to Washington for lobbying and legislative purposes.

Khalil has remained cautious through his long detention and separation from his family, but was ebullient on Friday, his lawyers said.

“It’s an enormous relief that Mahmoud’s nightmare of arrest and detention is coming to an end,” said Baher Azmy, legal director at the Center for Constitutional Rights and one of Khalil’s lawyers, adding that it should not have taken this long to free him.

“Americans should be grateful that there is someone who is willing to fight so hard for our collective First Amendment freedom against this obvious authoritarian tactic that threatens all of us,” Azmy said. “We all owe a debt of gratitude to Mahmoud.”

[SOURCE: THE WASHINGTON POST and AP]



Radio Habana Cuba