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USA

New Trial for Rasmea Odeh

- IV Online magazine - 2017 - IV504 - January 2017 -

Publication date: Sunday 1 January 2017

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RASMEA ODEH, THE Palestinian community activist in Chicago who was convicted in 2015 for “fraudulent procurement of naturalization” when she obtained her U.S. citizenship in 2004, has won a new trial. (For some background on the case and trial, see [May/June 2015, ATC 176](#)

[“Rasmea Odeh's Sentence/Appeal”](#).)

This is an important victory for Odeh and her defense team, who successfully argued on appeal that the Federal Judge Gershwin Drain hadn't properly considered the admissibility of testimony about her torture under Israeli interrogation in 1969, and her expert witness, Dr. Mary Fabri, regarding post-traumatic stress that affected her memory of what happened.

When an appeals court panel in Cincinnati sent the case back to the trial judge for review, Judge Drain scheduled a hearing for November 29. The day before it was to take place, the court announced that the hearing was cancelled and the judge would rule in writing.

A December 6, 2016 statement from the Rasmea Defense Committee explained:

“Michigan Federal Judge Gershwin Drain reviewed written arguments, and ruled today that Palestinian American community organizer Rasmea Odeh will be granted a new trial.

“Last year, Rasmea was sentenced to 18 months in prison and deportation after being convicted in 2014 of Unlawful Procurement of Naturalization, a politically-motivated immigration charge, for failing to disclose on applications for U.S. citizenship that she had been arrested decades earlier in Palestine by Israeli authorities.

“At the original trial, Rasmea was not allowed to tell the entire story of Israel forcing her to falsely confess to alleged bombings in 1969, when she endured over three weeks of vicious sexual, physical, and psychological torture at the hands of the Israeli military.

“The government argued that Judge Drain should again exclude Fabri's testimony. Despite recently subjecting her to 17 hours of clinical mental examination[ordered by the court to test her PTSD claim “ed.”], the government's own expert affirmed the diagnosis of PTSD, and reported that Rasmea was not faking any symptoms.”

The new trial is scheduled to begin January 10. Defense attorneys are hopeful a jury that finally gets the opportunity to hear testimony about torture and PTSD will find Rasmea not guilty. In what has always appeared to be a politically motivated prosecution, how the pending change of federal administration may affect the government's stance is difficult to assess.

UPDATE: As we go to press, U.S. attorney Barbara McQuade has announced a “superseding indictment” bringing a new charge of “terrorist activity” against Rasmea. Please call McQuade's office (313-226-9100) and ask her to drop the charges. For information visit www.justice4rasmea.org or email justice4rasmea@uspcn.org.

[January-February 2017, ATC 186](#)