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NYPD to Help in U.S. Terror Probe

Will question 86 city immigrants

By Patricia Hurtado
STAFF WRITER

Federal officials have asked the Police Department to help question immigrants being probed in the Sept. 11 attacks on the World Trade Center and Pentagon.

The Bush administration has announced that it intends as part of its terrorist investigation to question 5,000 immigrants, most of them Muslims, who entered the United States since January 2000.

At a news briefing last night, Police Commissioner Bernard Kerik said his investigators would be helping in the interview of 86 people in New York City. He said 127 people are on a list to be handled by the U.S. attorney's offices in Manhattan and Brooklyn.

And while other police departments around the country have refused to participate in such interviews, Kerik said his department would comply, saying it would not be coercive.

"They will be asked if they want to talk. If they don't, they don't," he said.

But in a letter to Kerik, the New York Civil Liberties Union expressed concerns about the department's participation in such interviews — to begin as early as this week. The group said the interviews could be "coercive."

"I think the federal government has asked the NYPD to participate in a fishing expedition that relies on inappropriate criteria — ethnic or religious — and that's dangerous," said Donna Lieberman, the NYCLU's interim director.

Lieberman questioned using the Police Department, which has been the subject of long-running federal civil rights investigations for allegedly violating the rights of citizens.

An investigation in Brooklyn — begun in the wake of the police torture of Haitian immigrant Abner Louima in 1997 — concerns whether there is a pattern of police officers violating New Yorkers' civil rights through the use of excessive non-lethal force. Federal prosecutors in Manhattan are investigating whether there is a pattern of so-called "stop and frisks" and questioning of citizens by the Street Crimes Unit. The investigation began after the fatal shooting of Amadou Diallo in 1999.

Federal prosecutors in Manhattan and Brooklyn confirmed the Police Department's role in the interviews.

"All questioning is voluntary and will be done professionally and for information-gathering purposes," said Marvin Smilon, a spokesman for U.S. Attorney Mary Jo White in Manhattan.

In a Nov. 9 letter obtained by Newsday, Attorney General John Ashcroft describes the questions he would like investigators to ask. Ashcroft notes the toll the terrorism investigations have taken upon federal investigators, writing "federal resources have their limits."

Ashcroft advises investigators to be clear about the objective of the interviews, which he described as "to collect any information that the individuals on this list may have regarding terrorist elements in this country and abroad."

Investigators are also to ask immigrants if they have ever been to Afghanistan, received terrorist training and if they are familiar with explosives, harmful chemicals or anthrax or are aware of any kind of other "suspicious activity."

Staff writer Leonard Levitt contributed to this story.

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