

Domestic Abuse Reviewed as Basis for Political Asylum

Atty. Gen. Ashcroft studies Clinton-era case of Guatemalan woman beaten by husband.

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Atty. Gen. John Ashcroft is reconsidering a Clinton administration policy that was designed to make it easier for victims of domestic abuse to gain political asylum in the United States, a Justice Department spokesman confirmed Thursday.

Officials insist that Ashcroft has not made up his mind, but women's groups and lobbyists for immigrants said they fear he will reverse the policy. That, they say, would doom many women who have fled to the United States seeking refuge from domestic abuse, the threat of honor killings or sexual slavery in their home countries.

Advocates for less immigration, by contrast, applauded the

prospect of action to restrain what they view as an unwarranted and potentially vast expansion of asylum rights.

The dispute centers on the case of Rodi Alvarado, a Bay Area woman who won political asylum in 1996 after arguing that returning to her native Guatemala would subject her to renewed attacks from a husband who had brutalized her for 10 years.

After an appellate panel reversed Alvarado's asylum claim, former Atty. Gen. Janet Reno stepped in to restore her protected status. Reno issued

widely publicized proposed guidelines designed to aid others who allege gender-related persecution.

The Bush administration has never made those guidelines final. Now, Ashcroft has certified the Alvarado case to himself, a legal step that will allow him to resolve Alvarado's individual claim and the fate of the proposed regulations, said Jorge Martinez, a Justice Department spokesman.

"It's all under review," Martinez said, adding that he had no timetable for when a decision would be made.

The Immigration and Naturalization Service leaves the Justice Department on Saturday and becomes part of the new Department of Homeland Security. But because the immigration courts will remain under Justice's jurisdiction, any pending new asylum guidelines would be coordinated by Justice with homeland security officials, Martinez said.

Immigrant advocates are alarmed by Ashcroft's move. Along with some members of Congress, they have begun a campaign to head off any government move to restrict politi-

cal asylum.

"I am very concerned that Atty. Gen. Ashcroft's actions could have a devastating effect on women asylum-seekers," said Rep. Lucille Roybal-Allard (D-Los Angeles).

But those on the other side of debates over immigration policy argue that the Alvarado case improperly extended the idea of asylum to cover people threatened by private individuals, rather than government officials.

"If we make political asylum based on family issues, sexual preference issues, other general issues, it eventually opens the

door to everybody in the world who is unhappy with where they happen to be," said Ira Mehlman, spokesman for the Federation for American Immigration Reform.

Alvarado, 35, works as a housekeeper and personal assistant to a group of nuns in the Bay Area. Her two children, ages 15 and 10, remain in Guatemala.

Immigration courts did not dispute Alvarado's claims of abuse at the hands of her husband, a former Guatemalan soldier. What was at stake was, whether such treatment should be grounds for political asylum.