

The Star-Ledger

Woman born in N.J. who joined ISIS can't return to U.S., judge rules

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NJ Advance Media for NJ.com and The Star-Ledger

Published Nov. 15, 2019

A federal judge ruled Thursday that a woman born in New Jersey who later joined the Islamic State was not an American citizen, and therefore could not return to the United States.

Hoda Muthana, who was born in Hackensack, is currently in a Syrian refugee camp, according to court records. She has reportedly expressed regret for her time with ISIS, and wants to travel to the United States with her child.

U.S. District Judge Reggie Walton said that Muthana's father was technically a foreign diplomat when she was born, which meant she was not entitled to a U.S. Passport, according to Muthana's lawyer.

"While we are disappointed with and disagree with the Court's ruling today, this is not the end of our client's legal options," Christina Jump, one of Muthana's lawyers, said in a statement. Jump wrote that they would reevaluate once the judge issued a written opinion.

A lawyer for U.S. Secretary of State Mike Pompeo, who had argued against Muthana's return, did not immediately respond to requests for comment. Pompeo previously said in a brief statement that Muthana was not a citizen. President Donald Trump has also tweeted his opposition to Muthana's return.

People born in the United States are U.S. citizens, according to the 14th Amendment of the U.S. Constitution. But federal regulations block the children of foreign diplomats from counting.

Muthana's father stopped being a diplomat for Yemen in September 1994, according to court records. Muthana was born a month later.

However, the U.S. State Department argued that the United States wasn't formally notified that he was no longer a diplomat until February 1995, which meant Muthana's father was still legally a diplomat when she was born.