

The Status of Muslim Civil Rights in the United States 2004



CAIR

The Council on American-Islamic Relations
Research Center

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Muslim Civil Rights
in the
United States

2004

Unpatriotic Acts

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The Council on American-Islamic Relations (CAIR) is a non-profit, membership organization dedicated to presenting an Islamic perspective on issues of importance to the American public. CAIR conducts sensitivity training workshops for the benefit of administrators and other personnel at corporations and government agencies.

CAIR Research Center publishes educational pamphlets, reports, and papers on the Muslim experience in America. Dr. Mohamed Nimer is the director of research.

To obtain copies of this report, contact:
Council on American-Islamic Relations
453 New Jersey Ave., SE
Washington, D.C. 20003

Tel: 202-488-8787
Fax: 202-488-0833

E-mail: cair@cair-net.org
URL: <http://www.cair-net.org>

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CONTENTS

GLOSSARY OF MUSLIM TERMS	1
EXECUTIVE SUMMARY	2
FINDINGS	3
SAMPLE CASES.....	21
RECOMMENDATIONS	26
APPENDIX	27

GLOSSARY OF MUSLIM TERMS

Allah	The most commonly used term for "God" in Arabic. Allah is not the "Muslim God," but is the same monotheistic God worshipped by Christians and Jews.
Beards	Following the tradition of Prophet Muhammad, many devout Muslims grow beards.
Eid	A holiday.
Hajj	Pilgrimage to Mecca.
Halal	Permissible by Islamic law.
Hijab	Modest clothing that women wear in public. It is generally loose-fitting and includes a head covering.
Imam	A prayer leader.
Kufi	A cap worn by men.
Masjid	The Arabic word for mosque—an Islamic house of worship.
Niqab	A face veil.
Prayer	Islam mandates structured prayers five times a day. Muslims are also required to attend a weekly congregational prayer. During the month of Ramadan devout Muslims observe extended evening prayers.
Qur'an	Islam's scripture.
Ramadan	The Islamic holy month of fasting.

EXECUTIVE SUMMARY

Last year marked the highest number of Muslim civil rights cases ever recorded by CAIR's annual report on the status of Muslim civil rights in the United States. Reports of harassment, violence and discriminatory treatment increased nearly 70 percent over 2002 (the year after the 9/11 terror attacks). This represents a three-fold increase since the reporting year preceding the terrorist attacks.

Although reports of abuse in areas of passenger profiling and unreasonable arrest, search and seizure have dropped significantly, incidents of hate crime have more than doubled. Also, allegations of mistreatment by federal and local law enforcement personnel (including profiling and discriminatory application of the law) accounted for a third of all reports, the highest record ever in real and proportionate terms.

Five factors contributed to the sharp increase in reported incidents:

1. A lingering atmosphere of fear since the 9/11 attacks.
2. The war in Iraq and the atmosphere created by pro-war rhetoric.

3. The noticeable increase of anti-Muslim rhetoric, which often painted Muslims as followers of a false religion and as enemies of America.
4. The USA PATRIOT Act, implementation of which has been associated with abuses.
5. Increased reporting by community members, due to the increase in the number of CAIR offices, allowing more cases to be documented in 2003 than in previous years.

CAIR recommends a number of governmental actions be taken in order to stem the rise of anti-Muslim discrimination. These recommendations include a call for a public inquiry to post-9/11 policies impacting the Muslim community and a call for implementing reforms suggested by the Office of the Inspector General of the Department of Justice regarding post-9/11 investigations and detentions. Also, a number of legislative actions are suggested to curb the use of profiling in law enforcement, strengthen hate crime prosecutions and end abuses associated with the USA PATRIOT Act.

FINDINGS

Impact of Discriminatory Government Policies

Since September 11, 2001, the U.S. Government has enacted a number of questionable policies in the name of national security. Many of these policies, however, have directly or indirectly resulted in the singling out of Muslims unrelated to terrorism investigation.

Detainees

In April 2003, the Office of the Inspector General (OIG) of the U.S. Department of Justice released *The September 11 Detainees* report, which confirmed allegations of abuse suffered by Arabs and Muslims rounded up immediately after the 9/11 attacks. The report found that between September 11, 2001, and August 2002, the government arrested 738 Muslim and Arab absconders (people whose entry visas have expired), interfering with their access to lawyers and denying them the constitutional right of obtaining information on charges against them. The OIG reports flatly criticized the government for its relaxation of rules that purposefully blurred the distinction between immigration cases and terrorism investigations. The report also faulted the government for its "hold until clear" policy, and for the "slow pace of the FBI's background investigations," coupled with "the lack of individualized evidence connecting specific detainees to terrorism." (OIG, *The September 11 Detainees*, p. 190).

The report also found evidence that detention centers often blocked attempts by the detainees' families to locate them. The review revealed a pattern of physical and verbal abuse against some detainees: often they were held in jail cells for 23 hours per day, taken outside their cells in a "four-man hold," using handcuffs, leg irons and heavy chains. The report also said detainees were taunted and slammed against prison walls. The OIG recommended disciplinary action against prison employees who committed these abuses.

In December 2003, the OIG issued a *Supplemental Report on September 11 Detainees' Allegations of Abuse at the Metropolitan Detention Center in Brooklyn, New York*. It detailed evidence of physical and verbal abuse as well as the humiliating treatment of 84 people detained for nearly a year on immigration violations. None of these detainees was found to have links to the terrorism. In addition, December's report reveals the existence of 308 security videotapes showing physical abuse committed by staff of the Federal Bureau of Prisons (BOP). The report found that even medical personnel "failed to ask detainees how they were injured or to examine detainees who alleged they were injured" (OIG, *Supplemental Report*, p. 45). The report called for policy changes to safeguard against such mistreatment in the future. For example, the report suggests that "the BOP provide clear, specific guidance for BOP staff members on what restraint and escorting techniques are and

are not appropriate" (OIG, Supplemental Report, p. 44).

The OIG special reports on the detainees are tantamount to a rebuke of the post-9/11 investigative and detention practices by the DOJ, FBI, INS, and the Federal Bureau of Prisons—especially in New York. Although additional people have been detained, the DOJ has not announced any new measures to prevent the maltreatment it learned about. The DOJ has not even responded to recommendations by the OIG for the FBI and other law enforcement authorities to use clearly defined, evidence-based rules and procedures in investigations, detentions and overall handling of detainees. For many in the Muslim community, the OIG reports confirmed what they had suspected all along: the detainee issue was not a matter of a terrorism investigation, but rather an expression of vengeance meted out against a vulnerable group of people who happened to have their ethnicity or religion in common with the 9/11 attackers.

Individuals detained after 9/11 were not all in violation of immigration law. The detention of Firasat Shah, a Muslim and legal resident of Houston, Texas, is a case in point. On July 29, 2003, the man was returning from a four-week visit to Pakistan when INS officers at Houston Intercontinental Airport shackled him and placed him in detention. He was not allowed to call anyone or even use the restroom. He was not accused of any wrongdoing and was released after 27 hours in detention without an explanation. During his detention, federal agents attempted to probe his political and religious views. After his release, Mr. Shah was called repeatedly by federal agents who asked him questions and demanded to meet with him without specifying the reasons for such contacts. A few

weeks later, a story about his ordeal appeared in the local press. In a meeting at a local Islamic center, Mr. Shah handed a petition asking for an end to the harassment to U.S. Attorney Michael Shelby. Only then did government agents stop calling him.

A new category of detainees emerged in connection with "Operation Liberty Shield," which was launched by the White House in the days leading to Operation Iraqi Freedom. Part of the new domestic security policy was a change in the handling of asylum seekers. Under the new procedures, applicants from Muslim-majority countries, defined in the policy as "nations where al-Qaeda, al-Qaeda sympathizers, and other terrorist groups are known to have operated," will be detained for the duration of their processing period. The irony is that quite often Iraqis have languished in prison as a result of the new policy. The government did not release any official figures on this group of detainees.

Deportees

Since September 11, 2001, the Department of Justice has singled out Muslim visitors and immigrants in the United States through a program called the National Security Entry-Exit Registration System (NSEERS), ordering those who entered the country within the past few years to report to government offices to provide personal information and to be fingerprinted, photographed, and assigned a registration number. Those who failed to comply with the order within the set deadlines were subjected to speedy deportation procedures. Most people in this category complied; and according to press reports, more than 82,000 men and boys from two dozen Muslim-majority countries came forth to register. Despite their compliance, more than 13,000 of

these individuals are still subject to deportation because they were found in violation of some minor immigration regulations. The government has justified this policy in the name of national security. However, none of the people who registered or were found in technical violation of immigration procedures has been charged with any terrorism-related crimes. Many are the breadwinners of now shattered households, including those raising U.S. citizens. Press reports indicate that there are more than 300,000 persons in the United States with expired visas. Aside from North Korea, only those from Muslim-majority countries have been ordered to register with the government.

In one case, Maher Arar, a man who was returning in September 2002 to Canada with his Canadian passport via JFK International Airport, was deported to his country of origin (Syria), where he said he was tortured and forced to sign confessions that he had been to Afghanistan. According to press reports, U.S. officials told Arar they had information suggesting he had been seen in the company of terror suspects in Canada. Arar is now suing the U.S. Government and seeking financial compensation and admission of illegal action by the U.S. Prior to his deportation, the 33-year-old computer engineer was shackled, driven to the Metropolitan Detention Center in Brooklyn and locked in solitary confinement. The next day, deportation agents flew Arar on a specially chartered jet to Jordan, and the Jordanians drove him to Syria. There he was held in a grave-like cell for 10 months and, according to his account, was emotionally and physically abused to admit links to terrorist organizations. Syrian officials eventually gave in to pressure from Arar's supporters and Canadian diplomats and released the man in the fall of 2003. The case is now the subject

of a public inquiry by Canadian authorities.

College students from Muslim countries

Data from U.S. colleges show that the number of students from Muslim majority countries has dropped significantly after September 11, 2001. A report issued by the Institute of International Education in November 2003, shows that the number of students from two dozen Muslim-majority states has dropped from 58,555 in 2001/2002 to 45,242 in 2002/2003, a decrease of 11 percent. These countries are: Bangladesh, Egypt, Indonesia, Jordan, Kuwait, Pakistan, Saudi Arabia, Afghanistan, Algeria, Bahrain, Eritrea, Lebanon, Morocco, Oman, Qatar, Somalia, Tunisia, United Arab Emirates, Yemen, Iran, Iraq, Libya, Sudan, and Syria. These are the countries whose nationals have been primary targets in the post-9/11 U.S. government policy of detention, special registration, and deportation.

The drop in the number of foreign students includes new applicants as well as returning students. Mr. Mohammed Esqayer is an example of the latter type. He is an Egyptian student of electrical engineering who began his program in the fall of 2000 at Arizona State University in Tempe, Arizona. He had finished his class work and successfully passed his comprehensive exams with a GPA of 3.75 by the spring of 2002. He was in the U.S. on a valid J-1 visa, issued as part of an educational exchange program between the United States and Egypt. On July 20, 2002, he went with his wife and children for a short family visit to Cairo. When he applied for a visa to return, he was told his application was pending a security clearance check. Mr. Esqayer was fingerprinted, photographed, given a case number, and

told the background check would take six weeks. He contacted the embassy a number of times by phone and email and was told they were just waiting for an answer from Washington, D.C. In January 2003, he sent another email to inquire about his case. The response he received from the consular section at the U.S. Embassy in Cairo indicated that the security clearance from Washington, D.C. had arrived and that he should send his family's passports to get the visa stamp. Later, however, he was notified that this information was erroneous and that he needed to wait again. He was also given a new case number. On October 22, 2003, he filed another inquiry at the embassy, but received no reply. Fearing that he would only be losing precious time, Mr. Esgayer gave up on higher education in America and went to Canada instead. Mr. Esgayer was not the only one whose life was disrupted; his wife had enrolled in a community college and his son and daughter had been attending elementary school in Tempe.

The post-9/11 student visa policies and procedures have had an adverse effect on colleges and local economies in the U.S. According to the Institute of International Education, foreign students add nearly \$13 billion to the U.S. economy. Nearly 75 percent of the funds supporting international students come from foreign sources (mainly personal and family funds). On average, each student spends \$22,000 annually on tuition and living expenses. This means in the year of 2002/2003, the U.S. economy lost more than \$300 million due to the drop in the number of students from Muslim-majority countries.

Prosecutorial bias

Community members have shared anecdotes

of their own experiences showing that law enforcement authorities tend to single out Muslims. For example, an apartment manager in Los Angeles, California, said he reported to the FBI a case in which apartment rental applicants had used false identification documents. He was transferred to a field agent who asked him whether the individuals were Middle Eastern. When the apartment manager said they were not, the agent reportedly replied that this "probably won't be something we'd be interested in pursuing."

This field knowledge has been tested and confirmed by third parties. For example, the *Detroit News* reported that its staff analyzed 100,000 local district court records and compared those with Middle Eastern or Muslim names to those without. The records, according to a press story, showed that before September 11, Arabs got about one out of every three tickets for ordinance violations, such as uncut weeds or garbage cans left outside for too long after trash pickup. Since then, they have accounted for two out of every three cases. Also, criminal cases against Arabs and Muslims rose 6.4 percent higher from September 2002 to September 2003 than in the year ending September 10, 2001.

Nationally, it has become clear that the U. S. government has pursued a policy of overstating terror charges against Muslims—often issuing affidavits connecting them to "terror" and then dropping such unsubstantiated charges while prosecuting minor procedural and regulatory violations. This pattern of targeting Muslims was most evident in the case of U.S. Army chaplain Yusuf Yee, who was held for 76 days and placed in solitary confinement without formal charges against him. Leaks to the press depicted him as a man who committed espionage against his country. Chaplain Yee

had been stationed in Guantanamo Bay, Cuba as a spiritual counselor for prisoners accused of links to al-Qaeda. Media reports suggested that sketches of the prison were found in his bags. But upon his release in December 2003, military sources reported to the media that a determination of whether the documents were classified had yet to be made. The espionage case against the chaplain collapsed and eventually all criminal charges were dropped. Chaplain Yee is a convert to Islam and son of a third generation Chinese-American family. Three other military officers of Middle Eastern descent have gone through similar ordeals. As a result, many Muslims fear that they are not treated equally under the law.

USA PATRIOT Act abuses

As financial institutions began to implement the USA PATRIOT Act, customers with Muslim names reported various discriminatory experiences. The Act requires banks and other financial institutions to verify identities of new customers and to report suspicious activities to the authorities. The Act places sanctions against institutions for noncompliance. In many cases, however, customers whose names are not on the government's list of "Specially Designated Nationals and Blocked Persons" and who have done business with banks and other financial institutions prior to the passage of the USA PATRIOT Act have been unnecessarily requested to provide detailed documentation of their identities and other their financial and tax records. In other cases, people were notified that their accounts had been cancelled or closed without any explanation.

Most of these cases were reported from New

York. In one incident, an American Muslim customer who lives in and works for the City of New York applied for a credit card at an Ann Taylor outlet store in Rehoboth, Delaware, in October 2003. While waiting for the application to be processed, she said she heard the cashier's exclamation about the PATRIOT Act in her conversation with a representative of the World Financial Network National Bank, which received the credit card application. The cashier ended the telephone call and informed the customer that her application was denied. She then asked the Muslim customer, whose name was not listed by the Department of Treasury, how long she had been in the country. The customer answered that she was born and raised in New York.

Anti-Muslim Rhetoric

Anti-Muslim rhetoric increased in 2003 and may have contributed to the rise of anti-Muslim discrimination and hate crimes. Examples of such speech include the following high profile cases:

- ◆ In October 2003, the Los Angeles Times broke the story of Army Lt. Gen. William Boykin, who was appointed Deputy Undersecretary of Defense for intelligence, and how he likened the war on terrorism to a battle with Satan. These comments were made during church gatherings and prayer breakfasts while Boykin was in full military uniform. Among the statements he made were mocking references to the Muslim belief in God. Referring to an encounter with an anti-American Somali leader, Boykin said, "I knew, that my God was bigger than his," and

"I knew that my God was a real God, and his was an idol." Islam is a monotheistic religion founded on the belief of the One God. A major portion of the Qur'an, Islam's holy book, repudiates idolatry. It also affirms that Abraham, Moses, Jesus, and Muhammad maintained the same beliefs. The Boykin statements offended not only Muslims, but also many ranking Republican senators.

- ◆ Several reports of literature being distributed on campuses contained anti-Muslim statements. In one report, a student at the University of Houston said he saw flyers and posters with false and degrading statements about the Qur'an and the Prophet Muhammad on the walls and bulletin boards all over campus.
- ◆ Evangelist Moody Adams in Florida told a church congregation that the holy book of Islam instructs followers to kill nonbelievers.
- ◆ Tim Wildmon, commentator on *Today's Issues on American Family Radio*, wrote in the *Daily Journal* in Tupelo, Mississippi, on April 27th that Muslims "worship a false God."
- ◆ In April, the newsletter of Roger Williams College Republicans in Warwick, Rhode Island, wrote telling readers that the "root of the problem" is Muslims because they hate Americans, and that "there is no way around it... a true Muslim is taught to slay infidels." Such statements have already been made previously by Pat Robertson and Franklin Graham.

- ◆ Trent Lott (R-Mississippi), who resigned his position as Senate majority leader over anti-black remarks, was quoted in *The Hill* on October the 29th commenting on the rise of attacks on U.S. soldiers in Iraq, "Honestly, it's a little tougher than I thought it was going to be.... If we have to, we just mow the whole place down, see what happens."
- ◆ On November 17th, Dr. Laura Schlessinger demeaned Muslims and their places of worship during her program. A mother was calling to seek advice on her daughter's participation in a school trip to a local mosque. Dr. Schlessinger replied: "This is a class on morals. What is the point of going to a mosque?...You're joking of course. How many Americans have tortured and murdered Muslims. I think you ought to stand up against this class and this teacher. This is despicable. You tell him you are willing to go to the mosque only if it is one that has done its best to root out terrorists in its midst, instead of complaining. I am horrified that you would let her go. I am so sick and tired of all the Arab-American groups whining and complaining about some kind of treatment. What culture and what religion were all the murderers of 9/11. They murdered us. That's the culture you want your daughter to learn about!"
- ◆ On December 4th, Paul Harvey stated on his radio program that Islam "encourages killing." The program issued a veiled apology after sponsors threatened to cut advertisement.

The Struggle for Civil Rights

On July 30th, the American Civil Liberties Union (ACLU), joined by CAIR, the American-Arab Anti-Discrimination Committee (ADC) and other groups, filed the first legal challenge to the USA PATRIOT Act, taking aim at Section 215 of the controversial law that vastly expands the power of FBI agents to secretly obtain records and personal belongings of innocent people in the United States, including both citizens and permanent residents. The lawsuit, which is still pending, charged that Section 215:

- Violates the Fourth Amendment by allowing the FBI to search and seize records or personal belongings without a warrant, without showing probable cause--and without ever notifying even innocent people of the searches;
- Violates the First Amendment because it allows the FBI to easily obtain information about a person's reading habits, religious affiliations, Internet surfing and other expressive activities that would be "chilled" by the threat of investigation;
- Violates the First Amendment by imposing a "gag order" that prohibits those served with Section 215 orders from telling anyone—ever--that the FBI demanded information, even if the information is not tied to a particular suspect and poses no risk to national security.

Aside from litigation, public awareness activities on civil rights violations have been conducted by a broad coalition of groups. In October, Amnesty International was joined by a number of American minority groups in a Congressional style public hearing in Chicago in which victims of detentions shared their stories. These included people who were detained for offenses ranging from immigration to parking violations, as well as victims of racial profiling.

Moreover, CAIR has successfully resolved two dozen discrimination complaints in 2003. These included some high impact cases. For example, in March, the Utah Department of Public Safety revised its driver's license policy to accommodate applicants wearing religiously significant headcovering for driver's license or identification card pictures.

Evidence shows that that the size of the Muslim population in a particular area is a contributing factor to outcomes of civil rights cases. For example, in New Jersey, which has a significant number of Muslim residents, the Cliffside Park School District quickly adopted a policy to accommodate student-led school prayers. This outcome followed an inquiry letter sent to the superintendent by a parent whose daughter had been refused permission to pray during her lunch period. In contrast, in Greenville, North Carolina, where a few Muslims live, the Pitt County School Board passed a resolution refusing to accommodate Friday prayer requirements of Muslim high school students, although their school had approved the accommodation.

In the judicial system, there have been a few victories. In one case, Anissa Khoder, a Lebanese

American, filed a complaint on May 16th with the New York Commission on Judicial Conduct. She claimed Judge William Crosbie asked her at her May 15th court appearance if she was "a terrorist." Khoder was challenging two parking tickets that had been left on her dashboard within one hour. The commission issued a ruling saying the accused judge agreed to resign, acknowledging that he made an ethnicity-based comment against the defendant.

In the workplace, the U.S. Equal Employment Opportunity Commission (EEOC) took the lead on a number of important cases. For example, in Philadelphia, the EEOC ruled in November that the Philadelphia Police Department had violated the rights of officer Kimberlie Webb, 41, who has been on the force for eight years. The EEOC said the department lacked valid reason or legal precedent in threatening to fire Webb after she came to work on August 12th wearing a dark blue hijab.

Statistical Highlights

This year, the total number of individual com-

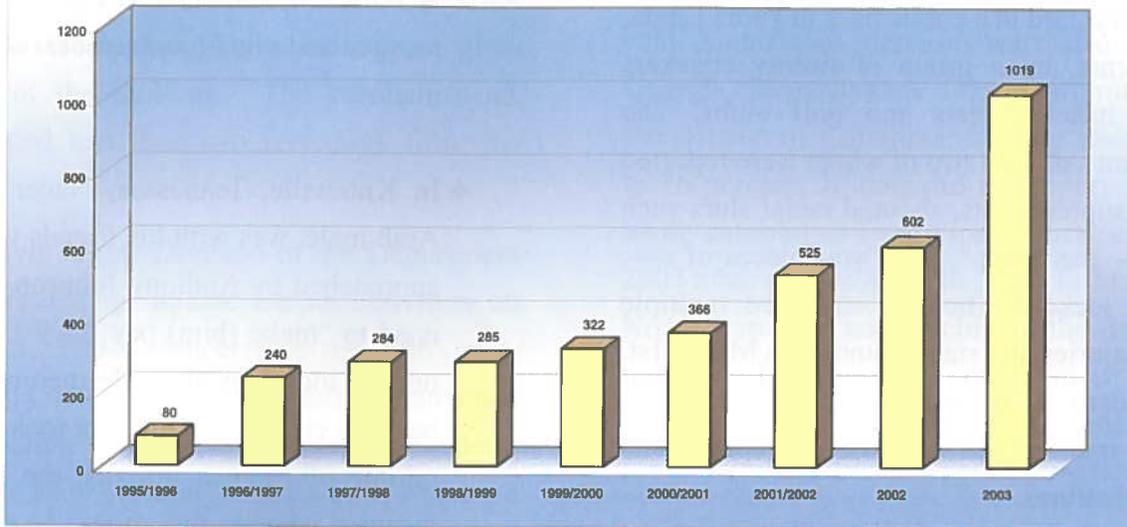
plaints reported to CAIR offices nationwide reached a new high, exceeding the 1000 mark for the first time since 1996. This record represents a 69 percent increase over the previous year. Compared to the annual report issued by CAIR prior to 9/11, this year's total is about three times higher.

Rise of Hate Crimes

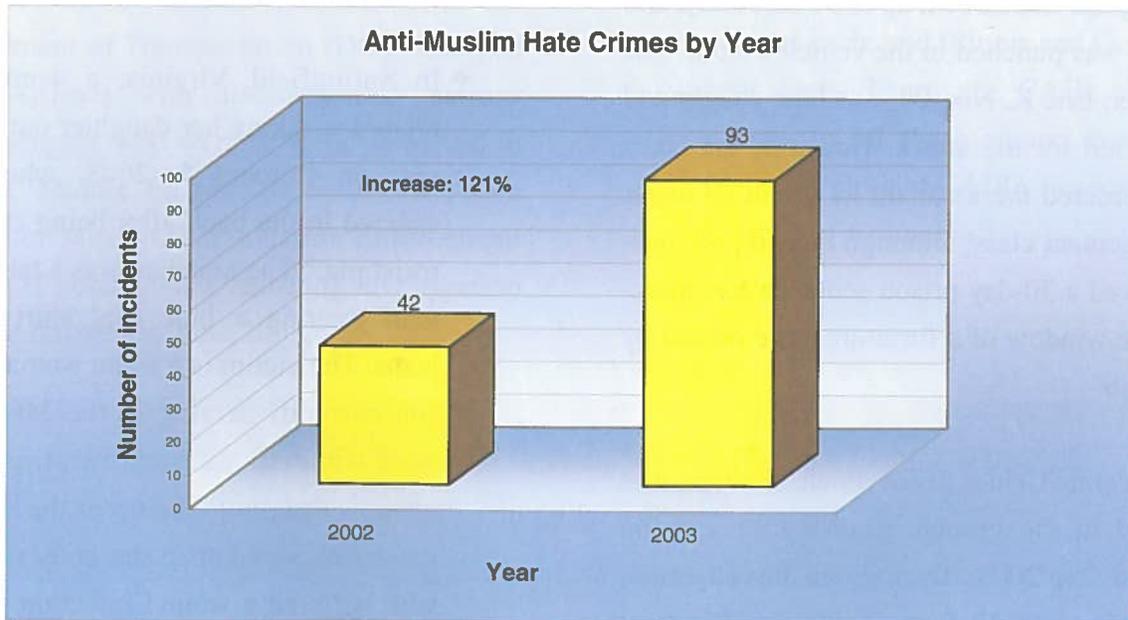
Incidents of anti-Muslim physical violence have more than doubled—increasing from 42 incidents in 2002 to 93 in 2003, which represents a 121 percent increase in one year. In addition to beatings and vandalism against Muslim-owned property and community institutions, a number of murders took place. Larme Price was charged with first degree murder in New York City for a 6 week shooting spree between February 8th and March 20th that left four dead and one wounded. Price reportedly confessed to shooting these people because he believed them to be Arab and he wanted avenge 9/11. The dead actually included only one Arab; the others were Guyanese, Ukrainian and Indian.

2003
marks a new high for civil rights complaints
received by CAIR

Number of Discrimination Reports by Year



Anti-Muslim Hate Crimes by Year



Hate crime cases also included the following incidents:

- ◆ Rashid Alam, 18, was severely beaten on February 23rd in a public park in Yorba Linda, California, by a group of twenty attackers using baseball bats and golf clubs. The assailants, at least two of whom were reported white supremacists, shouted racial slurs such as "f--- the Arabs", and "you pieces of s---, camel jockey." The boy sustained multiple head injuries and stab wounds. On March 1st, he underwent reconstructive surgery during which metal plates were used to repair facial bone fractures.
- ◆ On March 22nd, two days after the U.S. invasion of Iraq, an explosive device was thrown into the van of a Burbank, Illinois, Muslim family. The van's door was blown off, shattered glass was thrown up to 30 feet away, and a hole was punched in the vehicle's floor. The bomber, Eric K. Nix, 24, was later caught and convicted for the attack. However, the court only ordered the assailant to attend an anger management class, although he had previously served a 30-day prison sentence for breaking the window of a furniture store owned by an Arab.
- ◆ The Islamic Center of Savannah, Georgia, was burned to the ground around 3:00 a.m. on August 24, 2003. During the investigation, arson dogs smelled something suspicious at the scene and alerted their handlers. The local Fire Department asked the FBI and ATF for help in solving this crime. The incident has

been classified an arson attack. The fire completely destroyed the mosque building and the incident followed other incidents targeting the local Muslim community. A few weeks earlier, bullets slammed into the garage door of the mosque and one of its members received hate mail.

- ◆ In Knoxville, Tennessee, Nader Khaldi, an Arab male, was with his friends when he was approached by Anthony Johnson who threatened to "make (him) pay for 9/11," and told him he looked Arabic. He then proceeded to beat the victim. The incident took place in the middle of August. Initially, the local police disputed whether this should be considered a hate crime. An investigator was quoted by KnoxNews.com on September 3rd "You got a drunk who has a bad temper." The man was arrested and charged with an aggravated assault.
- ◆ In Springfield, Virginia, a woman wearing hijab was taking her daughter out of the back seat on October 5, 2003, when she was stabbed in the back after being called a "terrorist pig." The assailant was a tall, thin white man wearing a blue cap, shirt and baggy jeans. The victim is a white woman who has a son currently serving in the Marines. There were witnesses to the incident, including the victim's daughter. The tip of the knife used in the attack was left in the body of the victim who suffered a wound infection. The police, however, have not been able to identify the suspect.

◆ On December 9th, the office of the *Arab American News*, a community newspaper in Dearborn, Michigan, was firebombed. Fortunately, the attempt to burn down the office failed, because the firebomb was not able to break through the bulletproof glass door of the building. The bomb, instead, exploded less than two feet away from the door.

The Civil Rights Division of the Department of Justice issued an update on its activities on February 18, 2004, concerning the 546 post-September 11 hate crime investigations launched by the division. The release stated that federal charges have been brought in 13 cases in which 18 defendants have been convicted of hate crimes. However, the Department of Justice (DOJ) settled some anti-Arab, anti-Muslim discrimination cases and developed outreach activities, including 250 meetings between law enforcement authorities and communities of Arab and South Asian descent. The U.S. Department of Transportation (DOT) charged American Airlines with discriminatory actions against passengers who were or were perceived to be of Arab, Middle Eastern or Southeast Asian descent and/or Muslim. The Aviation Enforcement Office at DOT concluded a year-long investigation by filing the charges in June 2003.

Places of Incident

As shown in Table 1, states like Arizona, New York, California and New Jersey recorded the highest increases ranging from 233 percent to 584 percent. Significant increases were also registered in Georgia, Pennsylvania, Texas, Virginia, Ohio, and the District of Columbia, ranging from 11 percent to 76 percent. Illinois did not report any increase while complaints from Florida dropped slightly in 2003 after a sharp spike in 2002. In Massachusetts, North Carolina, and Michigan, the decline in the number of reports was much more significant, ranging from 28 percent to 64 percent.

◆ More than 80 percent of the cases were reported from 12 states: California, 22 percent; New York, 19 percent; Virginia, 7 percent; Texas, 6 percent; Florida and Ohio, 5 percent each; Maryland and New Jersey, 4 percent each; Pennsylvania and Arizona 3 percent each; and Illinois and Georgia, 2 percent each. There are CAIR chapters and offices in all these states, except Virginia (which is close to CAIR's headquarters in the District of Columbia.)

Arizona, New York, California and New Jersey recorded the highest increases ranging from 233 percent to 584 percent.

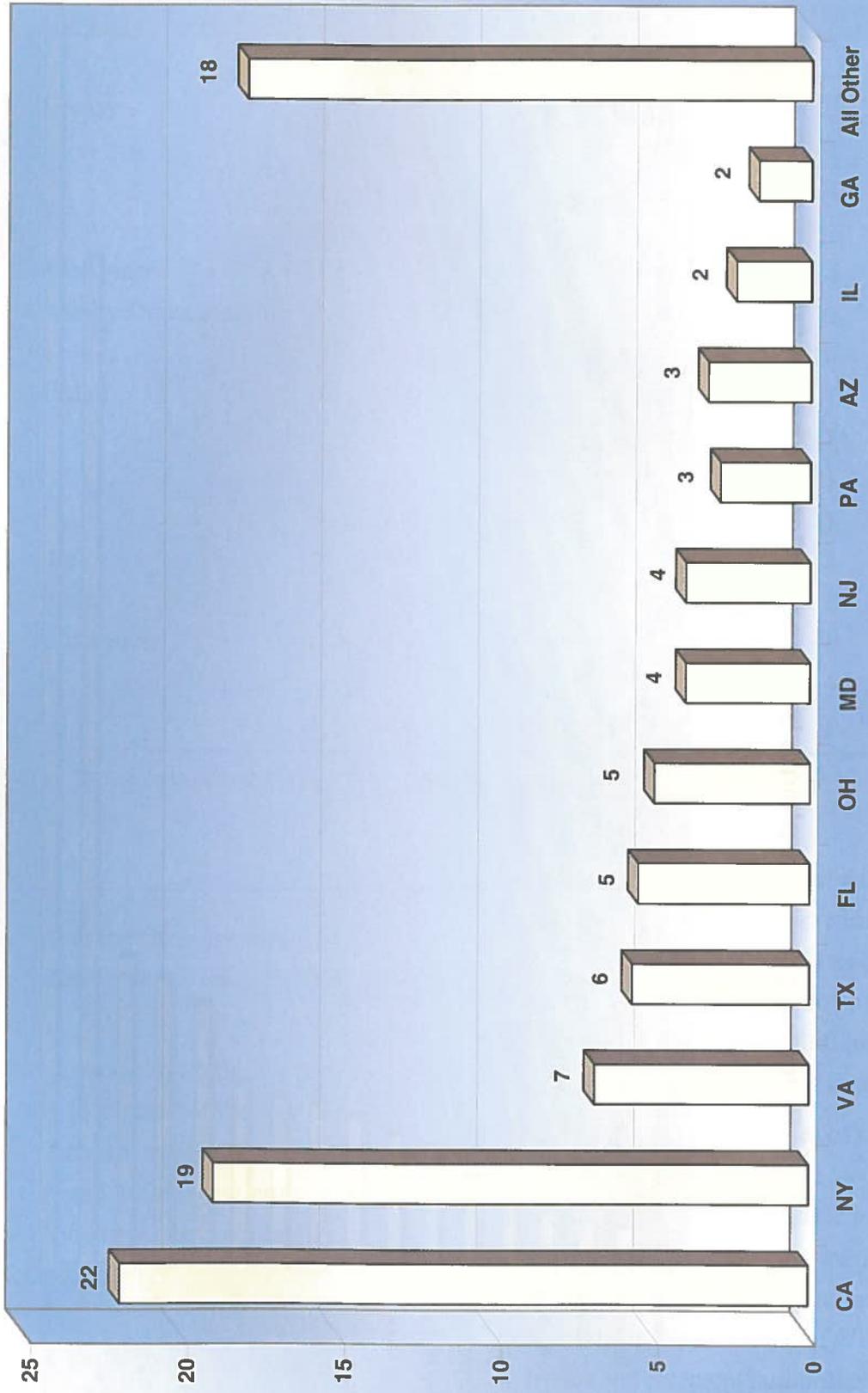
"Discriminatory application of the law" accounted for 13 percent of all complaints (132 cases), up from 9 percent (54 cases) in 2002.

Table (1)
Change in Number of Incidents by Top States

State	2002	2003	% Change
AZ	5	33	+584
NY	48	191	+296
CA	66	221	+233
NJ	12	40	+233
GA	10	17	+76
PA	18	29	+61
TX	36	57	+57
VA	54	69	+28
OH	42	50	+19
DC	12	14	+17
MD	36	40	+11
IL	24	24	0
FL	60	55	-8
MA	18	13	-28
NC	18	12	-33
MI	42	15	-64

- ◆ As seen in Table 2, incidents involving government agencies as the offending party have grown significantly from 23 percent of all cases in 2002 to 33 percent in 2003. Of the 33 percent, police cases accounted for 4 percent, shown in a separate category for the first time ever in this annual report.
- ◆ Three other new categories of Setting were added this year because of their numerical significance: Financial institutions and public streets claimed 4 percent each, or 40 cases; Muslim-owned businesses accounted for 1 percent, or 10 cases.
- ◆ While incidents in the workplace, schools and prisons did not change proportionally, they all increased in real terms: Workplace cases increased from 138 to 234; school cases rose from 42 to 71; and prison cases jumped from 36 to 61.
- ◆ The only category that declined in real and proportional terms was airport incidents, which decreased from 84 (14 percent) in 2002 to 41 (4 percent) in 2003. This is perhaps due to the unusual rise of passenger profiling cases after the 9/11 attacks. Airport incidents, however, continue to be significant and have not subsided to the pre-September 11 levels.

Percentage of Incidents by State in 2003



Percentage of Complaints by Place of Occurrence in 2003

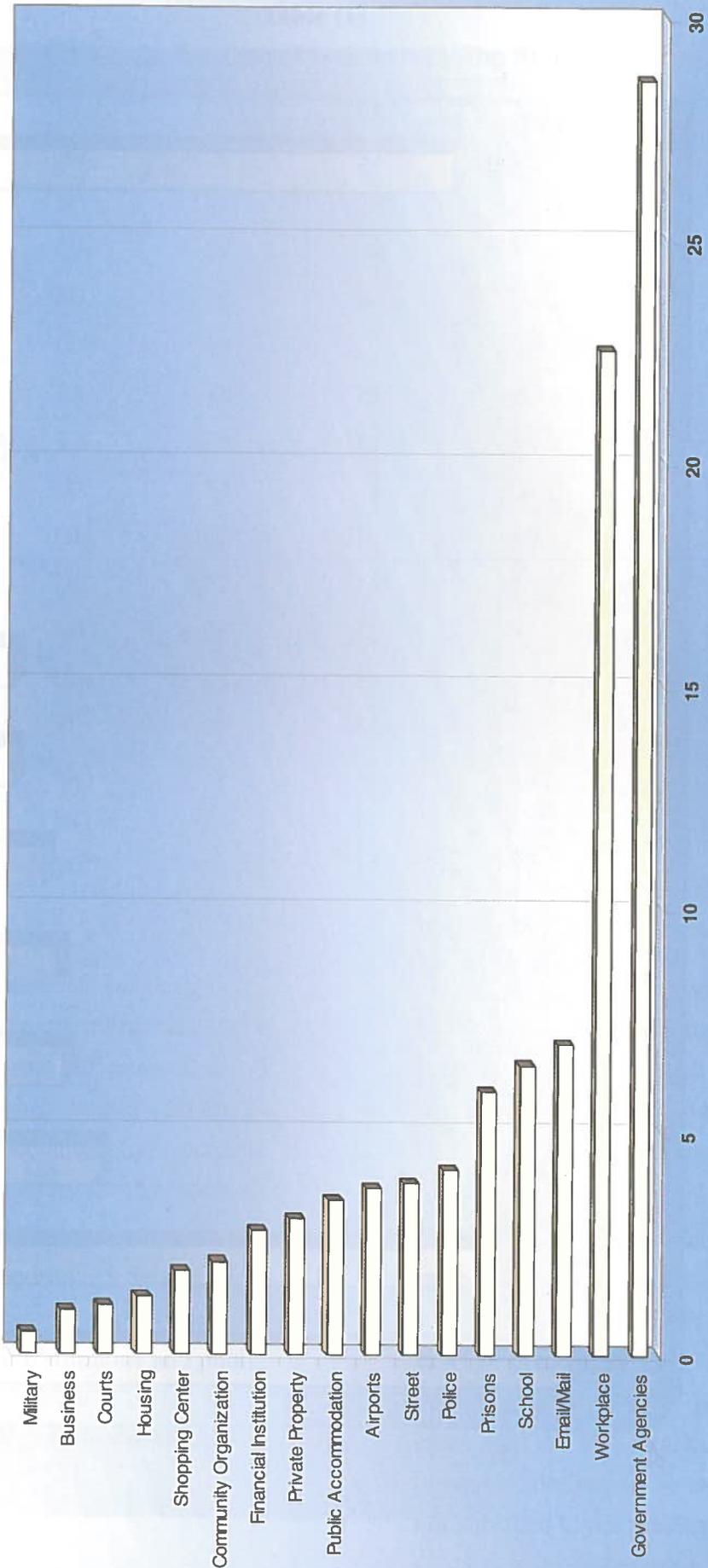


Table (2)
Percentage of Complaints by Place of Occurrence (1998 to 2003)

Setting	98/99	99/00	00/01	01/02	2002	2003
Workplace	47	42	48	26	23	23
Government Agency	8	11	10	19	23	29
Police*	-	-	-	-	-	4
Airport	3	3	2	26	14	4
School	8	13	15	8	7	7
Public Accommodation	10	8	9	7	6	4
Mosque/Community Organization	2	2	1	3	4	2
Prisons	17	13	9	3	6	6
Internet/Email/Mail	0	0	0	3	6	7
Court	2	3	1	0	3	1
Military	1	0	1	0	1	1
Housing	0	0	0	0	4	1
Shopping Center	0	0	0	0	2	2
Financial Institution	-	-	-	-	-	3
Muslim-owned Business	-	-	-	-	-	1
Street	-	-	-	-	-	4
Other	1	3	2	5	1	1

* In previous years "Police" was included in the "Government Agency" category.

Types of complaints

- ◆ As noted above, hate crimes have increased by 121 percent, the largest ever increase for this category.
- ◆ As shown in Table 3, racial and religious profiling accounted for 13 percent of the total, or 132 cases. These instances mainly comprised complaints of local and federal law enforcement personnel visiting or contacting Muslims to "check them out."
- ◆ Another significant category of alleged abuses are cases in which complainants believed

laws and regulations were applied to them differentially because of their ethnic and religious background. This category, labeled "Discriminatory application of the law," accounted for 13 percent of all incidents (132 cases), up from 9 percent (54 cases) in 2002.

- ◆ Passenger profiling and cases of unreasonable arrest, detention and seizure decreased dramatically from 72 cases in 2002 to 41 cases in 2003 in each category. This marks a significant departure from the hysterical treatment of Muslims in the aftermath of 9/11 at airports or by law enforcement authorities.

Percentage of Incidents by Type of Alleged Abuse in 2003

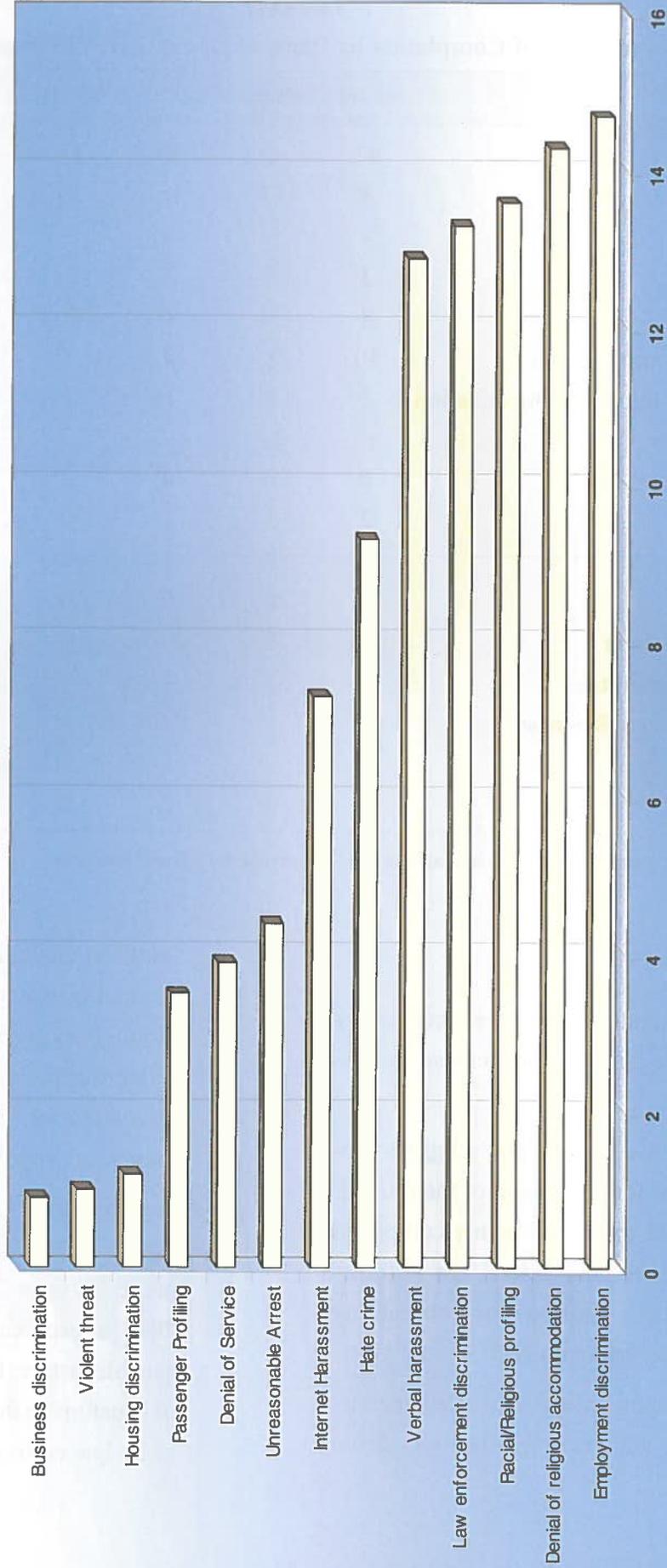


Table (3)
Percentage of Incidents by Type of Alleged Abuse (1998 to 2003)

Incident Type	98/99	99/00	00/01	01/02	2002	2003
Employment discrimination	18	22	27	17	17	16
Verbal harassment	10	9	8	14	15	13
Denial of religious accommodation	49	31	37	12	13	15
Passenger profiling	2	1	2	24	12	4
Racial/religious profiling	-	-	-	-	-	13
Discriminatory application of the law*	7	20	10	2	9	13
Unreasonable arrest, detention, surveillance, search, interrogation, seizure, accusation, suspicion	7	5	6	19	12	4
Hate crime	4	7	4	6	7	9
Denial of service/Access to public facility	3	5	5	5	6	3
Attack threat	-	-	1	1	2	1
Internet harassment	-	-	-	-	4	7
Business discrimination	-	-	-	-	-	1
Housing discrimination	0	0	0	0	3	1

*This category includes child custody discrimination cases, which were recorded separately in 2002. Also, the category "Unequal treatment" which appeared in previous releases was collapsed with this category in 2003.

- ◆ While housing discrimination decreased proportionately, the same number of cases was reported in 2002 and 2003.
- ◆ A number of categories of abuse decreased in percentage, but increased or remained the same in frequency. These categories include employment discrimination, verbal harassment, denial of access to public facility, and threats of violence.

Identifying Muslims

As for the features triggering discriminatory treatment, ethnicity, religion and national origin

continue to top the list and claim more than 60 percent of the reported cases—perhaps reflecting a continuing trend since the 9/11 attacks.

- ◆ Hijab related cases come second and although they decreased in percentage points from 16 to 11, their frequency increased from 96 to 112.
- ◆ Attacks on community organizations or discrimination against people on account of their community activism or group association have increased both proportionately (from 6 percent to 9 percent) and in real terms (from 36 incidents to 90 incidents).

Table (4)
Percentage of Incidents by Muslim Features Triggering Discrimination (1998 to 2003)

Muslim Feature	98/99	99/00	00/01	01/02	2002	2003
Ethnicity/Religion/National Origin	25	32	25	62	58	62
Hijab/Scarf	26	29	25	13	16	11
Community Organization/Activist	0	0	2	6	6	9
Prayer	27	19	18	7	4	5
Beard	8	5	8	4	3	2
Ramadan/Hajj	2	0	3	1	0	1
Eid/Religious Holiday	2	3	4	1	1	2
Halal Food	4	3	2	1	1	1
Kufi	1	1	1	2	1	-
Muslim Name	1	3	0	3	5	3
Niqab	1	2	1	1	1	1
Qur'an and Other Literature	2	3	3	1	1	1
Other	1	0	6	1	2	2

SAMPLE CASES

Note:

The cases described below are representative samples of the 1019 incident reports received by CAIR offices in 2003.

Hate Crimes

- ◆ On February 28th, two unknown males assaulted a Muslim student at Georgia Tech in Atlanta at night. The attackers beat him for no apparent reason and did not attempt to rob him.
- ◆ On February 28th, a large piece of cinder block was thrown through a glass entrance of the Islamic Center in Schaumburg, Illinois. The mosque had plans for expansion because of the growth of the congregation, but some neighbors had opposed the plan.
- ◆ On March 3rd, members of the Islamic Society of Pinellas County in Pinellas Park, Florida, found pieces of the mosque fence thrown at the windows and doors of the mosque.
- ◆ On March 4th, someone smashed the front window of a halal meat market in Falls Church, Virginia.
- ◆ On March 6th, a woman was driving along the Pinellas County Highway when men repeatedly leaned out of a van window shouting slurs at her and changing lanes in an intimidating manner. The perpetrators threw an object at the Muslim woman's car. A juvenile was arrested and charged with the assault, but the driver and other passengers were not taken into custody.
- ◆ On March 18th, a woman experienced two incidents a day apart. The first involved a man who rammed his car into hers on the freeway trying to push her off the ramp. The other incident involved a man who yelled at her calling her a "raghead b----." She felt this occurred because she has a "Free Palestine" sticker with a Palestinian flag on the back of her car.
- ◆ On March 21st, the day following the U.S. military action in Iraq, a woman wearing hijab was in the checkout line at Dollar Store in Port St. Lucie, Florida. The cashier began to ask questions about her hair and headscarf. Another employee came from behind and attempted to pull off the scarf of the Muslim woman.
- ◆ On March 21st, three windows of the Islamic Center of Sioux Falls in South Dakota were broken during the night after a peace protest. This was the fourth incident that has occurred at the center. Police have been notified, but no arrests have been made.
- ◆ On March 24th, an unknown individual vandalized the University of Wisconsin-Milwaukee MSA office by using permanent marker to write on an Iraqi display case. The attacker wrote: "Suicide bomb yourselves, you self-righteous as-----."
- ◆ In April, a woman was physically assaulted at a Toys R Us store in New York City by a man saying she "deserved to die." Hate crime charges have been filed.
- ◆ In Queens, New York, two men sitting next to

two women began harassing them at Starbucks. "What the hell do you have on your head?" yelled one of the men at one of the women with hijab. At this time, the father and brother of the women entered. The attackers took out a knife and a box cutter and threatened them. As they left, they threw a chair at them. Later, one of the attackers was spotted on the street. The police were notified but no action was taken.

- ◆ On July 13th, the sign for the Bloomington Islamic Center, Indiana, was broken by vandals. A man inside the mosque woke up to the sounds of a break-in. When he turned on the lights, he saw the vandals fleeing the scene in a van.
- ◆ On July 13th, Makki Masjid in Texas received phone calls threatening an attack on the mosque. Members of the mosque then found the mosque's door lock jammed and graffiti spray-painted on the walls.
- ◆ On July 21st, several students of the Salam School at the Islamic Society of Milwaukee, Wisconsin, were waiting for their rides when a car came into the parking lot driving at a dangerously high speed, almost running one child over, gave them the finger and drove out. The children got the license plate number. The incident was reported to the police. A resident of Plymouth, Wisconsin, was traced and received a ticket for reckless driving and disorderly conduct.
- ◆ On October 25th, vandals attacked Children's College, a day care center owned by an American citizen of Egyptian descent in Weldon Spring, Missouri. The attackers left dog feces at the center's front door, damaged a fence and ignited fires on the front porch. Leaflets, including one from a white supremacist group known as the National Alliance, also were left at the center. The leaflets

included a statement saying "Go back to your ----- country".

- ◆ On November 11th, officials of the All Dulles Area Muslim Society (ADAMS) in Sterling, Virginia, found an obscene anti-Islamic statement in large letters painted on the back of the center's 15-passenger van. ADAMS has been targeted by vandals in the past. Immediately following the September 11 attacks, violent messages were spray-painted on the walls, carpets and doors of another facility used by ADAMS in Sterling. In 2002, two teenagers were charged for spray-painting a wall of the nearly completed mosque with Nazi swastikas and racial obscenities. Arsonists also attempted to burn the center's sign.

Harassment

- ◆ On January 1st, an unknown man confronted a Muslim couple at the shopping center in College Park, Maryland, and asked them whether they were planting a bomb in the area.
- ◆ On February 26th, a Muslim employee in Reston, Virginia, reported finding a note posted in the office saying, "Tell the Mother F---s with the laundry on their head that today is laundry day." Later in the day, the employee found another sign describing how four red-necks would go and kill Osama Bin Laden and take down the Taliban.
- ◆ On March 11th, hate literature was found at the local Islamic center in Honolulu, Hawaii, warning Muslims that they will be watched by "patriotic residents." Hundreds of small leaflets, headlined "ATTENTION RAG HEADS" were reportedly thrown into the fenced yard of the mosque. The leaflet read in part, "During the war on terrorism, the vigilant, patriotic residents of Hawaii will be keeping an eye on our Muslim friends." It also

warned "every curry fundraiser will be checked to ensure that funds are not being funneled to support terrorist groups. Anyone found in violation will be strapped with explosives and shipped to Iraq. MAY GOD (NOT ALAH) BLESS AMERICA!!"

- ◆ On May 6th, a group of four Muslim women in Midland, Michigan, was approached by two males who asked the women where they were from. One woman responded, while another asked the men to leave them alone. The men said it was a public park and they could do whatever they pleased. As they were leaving, one the men made hand gestures like a gun and pretended to shoot them a couple of times. He then attempted to intimidate them by standing next to their car. The police were called and notified. They came to the scene and helped the ladies get to their car.

Passenger profiling

- ◆ On March 19th, Mahmoud Elrosoul, an American citizen who has worked for American Airlines (AA) as an aircraft technician for 16 years and resides in Saginaw, Texas, was returning with his wife and children from vacation in Hawaii. At the airport, an officer with the Transportation Security Agency (TSA) asked Elrosoul, his wife and three kids, ages 5, 8 and 9, to step out of line to be searched. The search was intrusive and humiliating: Elrosoul, who was flying on AA as company staff, was asked to take off his socks; his children were searched as if they were adults and his wife's purse was examined thoroughly—even the credit cards were taken out. In the plane, passengers who were passing by during the search looked at them suspiciously. The children were very frightened throughout the trip and continue to have nightmares as a result of the experience. TSA

personnel told Elrosoul that his family tickets were marked "SSSS" by the airline, which meant they had to be searched thoroughly. Elrosoul believes his family was singled out because of their ethnic and religious heritage. The family was en route as Operation Iraqi Freedom was launched. The man filed complaints with AA and the U.S. Department of Transportation (DOT). The DOT wrote back referring him to AA and telling him his complaint would be entered in a computerized monitoring system. AA sent him a letter telling him that government regulations prohibit them from discussing security measures and that his family was selected for screening under the CAPPS system and not by any employee of AA. The August 6th letter stated, "because of privacy concerns raised by the civil rights community, carriers are required to destroy, within 24 hours of the flight, the list of CAPPS selectees. As such, we cannot access the specific reasons for your screening at this point."

- ◆ A resident of Hughesville, Maryland, was traveling on July 13th on United Airlines from Chicago, O'Hare International Airport, to Dulles International Airport, Washington, D.C. He was detained at the O'Hare ticket counter for over 1.5 hours and told that his name was on the "FBI Exit Control List." He told them that he was completing his round trip and had traveled from Dulles to O'Hare just 2 days before with the same e-ticket without any problems. The officers brought in two higher level supervisors who asked him questions about his name, date of birth, city and country of birth, religion, and national origin. When they asked to see his passport, he told them that he was an American citizen and he did not need his passport to travel domestically. Finally, they let him go after putting him, according to his words, "through humiliation

for over an hour.... They were so loud that [other] passengers could hear it all."

- ◆ On July 27th, a Muslim passenger reported that he was pulled from his seat on a Northwest Airlines flight and questioned as to why he was reading the airline's magazines and looking at the air-route page before the flight started. A ground crew member told him he could not re-board the plane because his behavior was not appropriate: he "was looking at those airline routes again and again," and the "captain was uncomfortable flying" with him. The passenger was not allowed reentry despite offering to show any identification they asked for and volunteering to be searched again.

Profiling of Muslims by law enforcement officers

- ◆ A resident of New York reported that on February 26th, an FBI agent showed up at his work. The agent did not have information about him, except his place of employment. He was asked questions regarding his duties at work and the travels abroad. They later told him that they had "the wrong guy" and left. The man believes he was a subject of profiling.
- ◆ In southern California, three immigration officers showed up at the home of a couple. The officers asked the man and woman about their marriage and many other personal questions. The two have been married since May 2002 and have lived legally in the U.S. The queries also included questions about the Muslim community and local mosque.
- ◆ A southern California resident reported that on April 3rd INS officers came to her house to inquire if she was a U.S. citizen.
- ◆ A woman reported that two LAPD officers

from the anti-terrorist unit visited her home based on a tip concerning late night activity at her home. She believes the trigger of the visit is the fact that her husband is of West African origin.

Discriminatory application of the law

- ◆ A woman reported that her brother was detained on March 3rd by the INS in Santa Ana, California. A deportation order had been issued against him several years ago. However, he got married to an American citizen and his application to readjust his status is pending. The complainant protested that while her brother has been picked up, many other people who are not Muslim or do not come from Muslim-majority countries, including those who did not attempt to legalize their status, are not pursued by the government.
- ◆ A mother reported that her son was pulled over and issued a traffic ticket by police officers in Anaheim, California. The woman believes the officers engaged in profiling because they asked the young men offensive questions, including one about religion.

Workplace discrimination

- ◆ An estimator in Boston, Massachusetts, decided on March 17th to sue his employer for bias motivated firing. The termination followed a conversation that included America's reaction to the 9/11 attacks with the vice president of the company. The man suggested that the U.S. should pursue political means in response to the terrorist crisis. The vice president, who favored the bombings, became incensed and asked the employee about his place of birth. When he learned that the man was born in Iran, he yelled at him, kicked him

out of the office and called him a "hostage taker." The estimator was later fired.

- ◆ On April 23rd, a worker in Nashville, Tennessee, complained that she was terminated from her job because of her ethnicity (Kurdish Iraqi). She said that she had been permitted to operate machines and turn off alarms; but when she did she was reprimanded. She also faced verbal harassment from other employees who referred to her as Bin Laden's daughter.

Discrimination in schools

- ◆ A mother called CAIR Northern California to report that on March 14th a school coach barred her daughter from participation in the badminton team because she wears hijab.
- ◆ On August 29th, a student at Indiana University was asked to remove her headscarf before taking a photo for the school identification card, even though she explained that she wore it for religious reasons. When she approached the Chancellor about this matter, she was told that it was a policy that was in place for seven years. This information contradicted statements that were made by senior students who wore headscarves and had no problems taking their picture. Later, the school allowed her to take the picture with the headscarf.

Discrimination in prisons

- ◆ A correctional officer in Cook County,

Illinois, reported on March 11th that she was denied the ability to wear her religiously mandated headscarf at work. The EEOC ruled in her favor.

- ◆ An inmate at Columbus Correctional Institution in Ohio reported on February 5th that other religious groups are allowed to receive donations and gifts, but not Muslims. He also stated that the institution cooks special meals and does other things for other religious groups while the Muslim inmates are not provided with halal food.

Denial of service in public accommodation establishments

- ◆ On Saturday, April 12th, a Muslim woman wearing a scarf was not allowed to skate at Skate Land in Baltimore, Maryland. One of the skate park workers informed her that headbands, scarves, hats, and bandannas are not allowed because they could be gang related. She informed them several times that she wore her scarf for religious purposes. However, the two workers continued to tell her that she could not skate. Later, when speaking with the manager, the woman continued to explain that her headgear represented her faith as a Muslim and was not gang related. The manager still refused to let her skate.
- ◆ On April 24th, a customer who wears hijab reported that a that a Wal-Mart cashier in Evansville, Indiana, refused to wait on her and insulted her instead.

RECOMMENDATIONS

The largest number of complaints reported to CAIR in 2003 are attributed or directly linked to actions taken by federal, state and local government agencies and officials. Mounting evidence from various sources indicates that there is a government-sanctioned policy of targeting Arabs and Muslims. Also, this year's report shows an alarming increase in anti-Muslim physical violence. Congress must step in and exercise its oversight responsibility as required by Article I of the U.S. Constitution to institute a legal mechanism to curb these abuses. Therefore, CAIR recommends that Congress:

1. Conduct a special congressional hearing to review post-9/11 rules and procedures enacted by the Bush Administration in order to examine their impact on security and civil liberties, especially in light of the findings of the Office of the Inspector General (OIG) of the Department of Justice.
2. Oppose any attempts by the Bush Administration to extend the controversial provisions of the USA PATRIOT Act that are set to expire in 2005.
3. Pass the End Racial Profiling Act (ERPA) into law. ERPA would dissuade law enforcement from engaging in profiling practices by requiring race data collection, measuring the effectiveness of training programs and helping reinforce community trust in law enforcement agents. The Act would also provide legal

options to victims of racial profiling to stop law enforcement agencies from profiling people, and authorize grants for law enforcement agencies as an incentive to help them comply with the requirements of ERPA.

4. Pass the FAIRNESS Act into law. The FAIRNESS Act would, among other things, protect students from harassment, prevent employers from forcing workers to give up their right to a day in court, overturn court decisions that hold employers harmless for unfair labor practices committed against undocumented workers, and provide that victims of intentional sex, disability, and religious discrimination be entitled to the same remedies afforded to the victims of intentional race discrimination.
5. Pass the Local Law Enforcement Enhancement Act (LLEE) into law. Hate crimes, or bias-motivated crimes, affect entire communities and should be prosecuted promptly. Several jurisdictions lack the funds to prosecute incidents as hate crimes. LLEE federalizes hate crime prosecutions and allows for grants for hate crime investigations.

In addition, CAIR calls on the Department of Justice to implement regulatory and procedural reforms suggested by its Office of the Inspector General designed to restore constitutional protections in government investigations and handling of detainees.

APPENDIX



Mosque in Savannah, Georgia, damaged by arson.



*FI Muslim Students Kicked Off Bus 5 Miles
from Home in a Press Conference*

Newsday.com

<http://www.newsday.com/mynews/ny-nybias233250054apr23.story>

Muslim Assaulted With Toy in Brooklyn Store

By Rocco Parascandola
STAFF WRITER

April 23, 2003

A Muslim woman shopping in a Brooklyn toy store was assaulted by a man who slurred Arabs and flung a Mr. Potato Head at her, police said yesterday.

The suspect's father later said his son apparently acted out of grief because a friend in Israel had been killed by a suicide bomber.

Max Abrahamowitz, 29, a Hasidic Jew, was shopping at Toys "R" Us in Bensonhurst on Monday afternoon when he encountered a 23-year-old Italian Muslim woman, police said.

The suspect yelled a number of anti-Arab slurs, police said, then flung the toy, still in its box, at her, bruising her upper left arm.

When police showed up, Abrahamowitz, a student in Israel who was visiting family in Borough Park, told them he "doesn't like Arab people," a police source said. Abrahamowitz was arrested on charges of assault and aggravated harassment.

Abrahamowitz' father, who refused to give his name, said his son acted out of grief. "I'm very surprised," he said, "but one of his friends was killed by a suicide bomber, a woman."

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<http://www.newsday.com/templates/misc/printstory.jsp?slug=ny%2Dnybias233250054apr2...> 5/1/2003



Tuesday
March 4, 2003

THE ORANGE COUNTY REGISTER

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"We thank God our son is still alive, but we also want to bring attention to this to make sure that this doesn't happen to anybody else." – Ahmad Alam, Rashid's father



PAUL E. RODRIGUEZ, THE REGISTER

SERIOUS INJURY: Ahmad Alam sits with his son, Rashid, 18, who is recovering from a beating he got last week by a group of young men in Yorba Linda. Rashid had been in the hospital until Saturday.

The work of hate

An O.C.-born Arab-American teen is beaten, stabbed by a group with apparent ethnic animus.

By ERIC CARPENTER
THE ORANGE COUNTY REGISTER

YORBA LINDA

An Arab-American civil-rights group today will ask the FBI to investigate the severe beating and stabbing of an 18-year-old of Lebanese descent at a Yorba Linda park, an attack police are investigating as a hate crime.

Leaders of the Council on American-Islamic Relations said the attack on Rashid Alam of Yorba Linda was one of the most violent they're aware of and they are concerned police are moving too slowly.

Up to 20 teens kicked in Alam's jaw, stabbed him with a screwdriver, and hit him with golf clubs just after midnight Feb. 23, Brea police said. They allegedly shouted racial epithets and white-power slogans.

"We thank God our son is still alive, but we also want to bring attention to this to make sure that this doesn't

happen to anybody else," said Ahmad Alam, Rashid's father, who immigrated to the United States from Lebanon in 1971.

Alam said he is concerned about his family's safety because his son's attackers have not been arrested.

Two minors – a 16-year-old from Placentia and a 17-year-old from Yorba Linda – were arrested on suspicion of misdemeanor assault for allegedly punching a second victim, who had minor injuries. They were released to their parents, Sgt. Jack Conklin said.

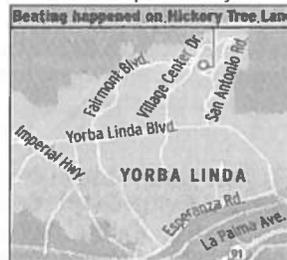
Four other suspects, including one believed among those responsible for Alam's injuries, have been identified, but no arrests have been made.

Conklin said police believe Alam was attacked during an arranged fight between rival groups that had clashed before.

Rashid Alam and his brother, Mohamed, both 18, said they have been in fights before in reaction to racial

Investigating motives

Police are investigating the severe beating of Rashid Alam, 18, of Yorba Linda as a possible hate crime. Advocates for the victim are asking for the FBI's help in the investigation.



The Register

slurs. But they said they were not looking for a fight that night.

Police said it doesn't matter whether the groups planned to fight.

"There's no question these were serious injuries and white-supremacist slogans were used, so we're

SEE BEATING • PAGE 2

Cross Set Afire at College Park Mosque



BY BILL O'LEARY—THE WASHINGTON POST

June White Dillard of the NAACP, left, Rizwan Mowlana of the Council on American-Islamic Relations, Al-Huda vice principal Jose Acevedo and national council leader Nihad Awad discuss the cross-burning.

Police Have Witness, Video In Probe of Hate Crime

By JAMIE STOCKWELL
Washington Post Staff Writer

A three-foot-high wooden cross was set afire on a grassy knoll outside a Prince George's County mosque and Islamic school early yesterday in what authorities said was a hate crime.

The cross, soaked with a flammable liquid, was pushed into the ground and ignited shortly before 2 a.m. in front of the Dar-us-Salaam mosque and Al-Huda school in College Park, said Fire Chief Ronald Blackwell. A videotape from a surveillance camera on the property shows at least two people carrying out the cross-burning, Blackwell said.

The mosque said that it has about 400 members and that about 100 children and adults attend programs at the school.

"It is a disgraceful time," said Rizwan Mowlana, the executive director of the Maryland of-

fice of the Council on American-Islamic Relations. "A crime was committed today."

County Police Chief Melvin C. High said the police and fire departments are investigating the cross-burning as a hate crime. He declined to elaborate on the videotape or discuss other possible evidence in the case. Barry Maddox, an FBI spokesman in Baltimore, said federal agents are working with local authorities in the probe. He said the cross-burning was the first reported to authorities in Maryland in at least three years.

Four firefighters from the Branchville station responded to the small blaze in the 5300 block of Edgewood Road and the flames were extinguished in minutes, said Mark Brady, a county fire department spokesman.

Mowlana described a witness's account of the crime at a news conference yesterday outside the mosque. He said that a man was sitting in his car, waiting for a friend who was working on the floors inside the mosque, when a van drove up and two or three young white men scattered onto the grass. The man told Mowlana and authorities that he then saw a burst of fire and

watched the men drive quickly away, Mowlana said.

"We pray the police make arrests soon," he said.

He was joined at the news conference by local members of the American Civil Liberties Union and the NAACP.

"Our community is very familiar with burning crosses," said June White Dillard, president of the county's chapter of the NAACP. "Cross-burning against an institution or any community is a violation of all of our civil rights."

The mosque and school have received a few nasty e-mails and sustained minor vandalism in the past, but yesterday's fire was by far the most unsettling incident, said Jose Acevedo, the vice principal at Al-Huda.

"We are a strong group, and we pray we are not intimidated by this, that it makes us more vigilant," he said. "In terms of the children, it's always difficult to explain hatred."

Staff writer Allan Lengel contributed to this report.

THE PRESS-ENTERPRISE

County to reinstate worker, alter schedule

BY SHARYN OBSATZ
THE PRESS-ENTERPRISE

PALM SPRINGS—Riverside County will reinstate a Muslim employee and arrange his work schedule so he can attend Friday afternoon prayers at a mosque.

The employee, appraiser trainee Adeel Syed, had resigned Monday after county officials said they could not accommodate his request to attend the weekly prayer service.

The Council on American-Islamic Relations Southern California chapter complained to the county Tuesday about Syed's case, noting that the Civil Rights Act of 1964 requires employers to accommodate employees' religious practices unless doing so would result in undue hardship.

On Friday, county spokesman Ray Smith confirmed the county will allow Syed to work the reg-

ular 9-hour shifts on Mondays through Thursdays and a 4-hour shift on Friday mornings.

The local chapter of the Council on American-Islamic Relations will conduct a sensitivity workshop for human resources personnel. Hussam Ayloush, executive director of the chapter, praised the county for resolving the matter swiftly.

Syed, 23, is scheduled to start work Monday at the county assessor's office in Palm Springs. Syed, who recently moved from Los Angeles County to Bannin for the job, praised handling of his complaint by the management and said the system worked.

"I'm really pleased with the result," he said. "They treated me with a lot of respect and they took the matter seriously."

Contact Sharyn Obsatz at (760) 322-4222 or sobsatz@pe.com



VALERIE BERTA /
THE PRESS-ENTERPRISE

Adeel Syed was reinstated as an appraiser trainee by the Riverside County Assessor's Palm Springs office after complaints from the Council on American-Islamic Relations Southern California chapter. Syed resigned when the county said it would not accommodate his request to attend Friday prayers at a mosque.



EEOC sues firm for alleged bias against Muslims

Erica Stephens
Staff writer

From the September 19, 2003 print edition

The U.S. Equal Employment Opportunity Commission has sued an Atlanta company, Atlanta Rent-A-Car Inc., for allegedly discriminating against two women because they are Muslim. The complaint, filed Sept. 2 in U.S. District Court in Atlanta, charges the company failed to consider them for employment because of their religion.

"Defendant's conduct during the interview process chilled any further efforts by [either woman] to seek employment with the Defendant, as the latter effort would have been a useless act given the Defendant's expressed hostility towards the Muslim religion and the religious dress requirements of the Muslim religion," the EEOC charged.

An executive of Atlanta Rent-A-Car could not be reached for comment.

Robert Royal, regional attorney with the Atlanta district office of the EEOC, declined to comment until the case is resolved.

Since the terrorist attacks of Sept. 11, 2001, American Muslims have been experiencing more anti-Muslim incidents, according to the Washington, D.C.-based The Council on American-Islamic Relations, a national Islamic civil rights and advocacy group. A study released by the group in July says anti-Muslim incidents in the United States increased to 602 between Jan. 1, 2002, and Dec. 31, 2002, up from 525 the year before.

On Sept. 16, Delta Air Lines Inc. was sued by a Sikh businessman who claims the airline violated his civil rights on a flight from Cincinnati to Dayton, Ohio. According to the Reuters news service, court papers say a flight attendant told the man that he and others from "the Middle East" should keep a "low profile."

After Sept. 11, 2001, the EEOC began processing claims under what it calls "Process Type Z." The code is reserved for charges related to the events of Sept. 11, 2001, by an individual who is -- or is perceived to be -- Muslim, Arab, Afghani, Middle Eastern or South Asian or individuals alleging retaliation related to the events of Sept. 11.

Between Sept. 11, 2001, and Aug. 11, 2003, 837 charges were filed with the EEOC under Title VII of the Civil Rights Act with Process Type Z. Of those charges, 499 were related to discharges of employees, and harassment was cited in 354 of the charges. Nineteen of those charges were filed in Georgia.

As of August, 92 individuals charging 9/11-related employment discrimination had received more than \$1.425 million in monetary benefits nationally, according to the EEOC.

Akeel Hanano, president of the Georgia chapter of The American-Arab Anti-Discrimination Committee, said Georgia has fared better than many other states in the number of reported incidents of discrimination against Muslims.

"We in Georgia are pretty lucky; we only had five incidents so far as reported to us at the ADC," Hanano said.

Muslim Pilot Fired Due to Religion and Appearance, EEOC Says In Post- 9/11 Backlash Discrimination Suit



Charging Party Mohammed Hussein Says American Dream 'Snatched Away'

The U.S. Equal Employment Opportunity Commission (EEOC) today filed its sixth post-9/11 backlash discrimination lawsuit under Title VII of the 1964 Civil Rights Act against Trans States Airlines, Inc., a regional commuter airline. EEOC alleges that Trans States discriminated against Mohammed Hussein, a pilot employed as a First Officer, because of his Islamic religious beliefs and his Arabic appearance. Mr. Hussein, who is a Pacific Islander and native of Fiji, was fired one week after the 9/11 terrorist attacks on September 18, 2001, despite an excellent work record.

Mr. Hussein filed a charge of religious, race and national origin discrimination with the EEOC in St. Louis after Trans States refused to provide a reason or other justification for his discharge. During EEOC's investigation, Trans States asserted that it discharged Mr. Hussein primarily because it received an anonymous report that he was in a "drinking establishment" while in uniform. The EEOC's Complaint alleges that contrary to its established policy, Trans States

did not investigate the alleged report or even identify the person who made it. They refused to inform Mr. Hussein of the allegations against him or provide him a chance to respond to the purported accusation.

In its suit, filed in U.S. District Court for the Eastern District of Missouri (Case No. 4:03CV00964 TCM, EEOC v. Trans States Airlines, Inc.), the EEOC is seeking a permanent injunction prohibiting the company from engaging in employment discrimination.

EEOC also seeks reinstatement, back wages, compensatory damages, punitive damages, and other relief for Mr. Hussein. EEOC filed suit after its conciliation efforts to reach a voluntary pre-litigation settlement proved futile.

Mr. Hussein has wanted to fly since he was four years old when he saw the Concorde arrive in Fiji. His high school studies heavily emphasized science and mathematics to better prepare him for aviation studies in college. He graduated in 1997 with a B.A. in aviation from the Massey University School of Aviation in Palmerston North, New Zealand. Mr. Hussein then attended Sierra Academy of Aeronautics in Oakland, California, and graduated in January 2000. He taught there for about a year as a flight instructor before starting with Trans States in February 2001. Since being fired by Trans States he has been unable to obtain a flight crew job with another airline and has worked elsewhere as a business manager since December 2001.

Mr. Hussein said, "I have wanted to fly since I was a small boy. I devoted my life and worked hard to attain my dream. After coming to America and realizing my dream, to have it snatched away because of my religion and how I look is just devastating. That is not America."

Lynn Bruner, Director of the St. Louis District Office of the EEOC, stated, "All Americans were horrified by the events of 9/11, but that can't excuse illegal behavior. EEOC will do everything it can to protect Mr. Hussein's right to work, and his right to practice the religion of his choice. He shouldn't have to give up a job because of the way he looks or the religion he practices."

National origin discrimination, race discrimination, and religious discrimination violate Title VII of the Civil Rights Act of 1964, which prohibits employment discrimination based on race, color, religion, sex (including sexual harassment or pregnancy) or national origin, and protects employees who complain about such offenses from retaliation.

CNN.com. /LAW CENTER

ACLU files lawsuit against Patriot Act

From Kevin Bohn

CNN Washington Bureau

Wednesday, July 30, 2003 Posted: 6:17 PM EDT (2217 GMT)

WASHINGTON (CNN) -- The American Civil Liberties Union Wednesday filed the first lawsuit against the Patriot Act, the anti-terrorism law passed after the attacks of September 11, 2001.

The lawsuit claims one section of the law authorizing searches of records, including those of businesses, libraries and bookstores, is unconstitutional.

"This lawsuit challenges the constitutionality of Section 215 of the USA Patriot Act, which vastly expands the power of the Federal Bureau of Investigation to obtain records and other 'tangible things' of people not suspected of criminal activity," the lawsuit states.

The ACLU filed the lawsuit in U.S. District Court in Michigan on behalf of six mostly Arab and Muslim-American groups.

The groups claim the provisions of the law allowing the searches violates the Constitution's First, Fourth and Fifth amendments.

They include the Muslim Community Association of Ann Arbor, Arab Community Center for Economic and Social Services and the Islamic Center of Portland, Masjed As-Saber.

Without directly commenting on the suit, Justice Department spokeswoman Barbara Comstock defended the act in a written statement, saying it was "a long overdue measure to close gaping holes" in the government's anti-terrorism efforts.

She described Section 215 as having "a narrow scope that scrupulously respects First Amendment rights, requires a court order to obtain any business records, and is subject to congressional reporting and oversight on a regular basis."

Justice Department officials say the section can be used only in a narrow set of circumstances, including to obtain foreign intelligence information about people who are neither American citizens nor lawful permanent residents, and to defend the United States against foreign spies or international terrorists.

"Section 215 cannot be used to investigate garden-variety crimes, or even domestic terrorism," Comstock said in her statement.

Those bringing the lawsuit contend it is too easy to get approval for a search under Section 215.

"To obtain a Section 215 order, the FBI need only assert that the records or personal belongings are 'sought for' an ongoing foreign intelligence, counterintelligence, or international terrorism investigation," the lawsuit says.

"The FBI is not required to show probable cause -- or any reason -- to believe that the target of the order is a criminal suspect or foreign agent."

Previously, such broad powers were permitted only in investigations of suspected agents of foreign powers. Section 215 expanded the type of information that can be subpoenaed and broadened the scope to add probes into al Qaeda and other terrorism suspects.

Another controversial element of the Patriot Act involves what are called "sneak and peek" searches of homes and other locations in which the owners are informed only after the search has been conducted.

Last week, the House of Representatives voted to bar the Justice Department from executing such searches under the act.

In a letter last week to House Speaker Rep. Dennis Hastert, R-Illinois, the department said the idea of delaying notification of such searches is "to prevent tipping off terrorists in the war on terror" and is a "long-existing, crime-fighting tool." (Full story)

In February, the ACLU and a coalition of other civil liberties groups asked the U.S. Supreme Court to overturn new, more lenient standards for wiretaps in foreign intelligence investigations.

Before the Patriot Act, foreign intelligence had to be a "primary" purpose of the investigation. Now, foreign intelligence has to be a "significant" purpose. The court overseeing the issuance of wiretaps had ruled against that interpretation last year, saying it was too broad.



Saturday
Jan. 11, 2003

THE ORANGE COUNTY REGISTER

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KEEPING TABS ON FEDERAL REGISTRATION PROCESS



HELPING HAND: Iman Ibrahim, 20, volunteered Friday afternoon at the Reagan courthouse in Santa Ana with the Council

on Islamic Relations, which was documenting nonimmigrant visa holders required to register with the INS.

INS detains fewer

But fear is cited as number registering on new deadline is also down.

By **ANN PEPPER, PETER LARSEN and DENA BUNIS**
THE ORANGE COUNTY REGISTER

An Anaheim immigration attorney said five people were detained Friday in Orange County on the latest deadline for foreign nationals to register with the INS - a dramatic decline from the 550 taken into custody here and in Los Angeles in December.

Justice Department records show 15,000 people

holding nonimmigrant visas have registered with the INS since the program began in November. That surpassed by nearly one-third the number of people INS demographic and statistical models predicted would have to comply with the order.

Men and boys over age 16 from five countries were required to register by Dec. 16; those from 13 more countries faced Friday's deadline; those from two more countries must register by Feb. 21.

The registration effort is aimed at creating a nationwide exit-entry program to track visitors holding non-immigrant visas.

Unexpectedly low numbers

of immigrants trickled in to immigration offices in Santa Ana on Friday.

At times, human-rights observers in yellow shirts outnumbered those waiting in line to register.

By late Friday afternoon, an estimated 30 people had registered, including the five detainees, Anaheim lawyer Malek Shibley said.

About 90 were being detained in the region as of midday Friday, including 20 held since the Dec. 16 registration, according to the Justice Department.

Some failed to show Friday either out of fear of arrest or because they hired attorneys and beat the deadline by regis-

MORE ON LOCAL 2

INS - Policy changes praised.

tering earlier.

Shibley said he'd diverted 107 of his clients to other regions to register.

"I sent them to San Jose, to San Francisco, to Nevada, where they will be allowed to register and not be detained," attorney Malek Shibley said.

"They are only arresting so many people in Southern California."

CONTACT THE WRITER:
(714) 704-3777 or
aeppper@ocregister.com

The Washington Post

FRIDAY, NOVEMBER 21, 2003

Islamic Group Sues Congressman for Remarks

By CAROL D. LEONNIG
Washington Post Staff Writer

The country's largest Islamic civil liberties group has sued a North Carolina congressman, saying that he defamed the organization when he called it "the fund-raising arm for Hezbollah" and said that the stress of living near its Washington headquarters had contributed to the breakup of his marriage.

The Council on American-Islamic Relations filed the suit Tuesday against Republican Cass Ballenger based on comments he made in an Oct. 4 article in the *Charlotte Observer*. Earlier Tuesday, Ballenger, 76, had announced that he would retire after nine terms in Congress and 38 consecutive years in public office.

In the *Observer* article, Ballenger was quoted as saying that when the council moved into a Capitol Hill office on the same block of New Jersey Avenue SE as his townhouse, it "bugged the hell" out of his wife, Donna. He said that she grew increasingly nervous about the group's presence after the Sept. 11, 2001, terrorist attacks and that women wearing "hoods" were entering and leaving its office. He also told the newspaper that he had reported the group to the FBI and the CIA.

"Diagonally across from my house, up goes a sign—CAIR the fund-raising arm for Hezbollah," Ballenger was quoted as saying. "That's 2½ blocks from the Capitol . . . and they could blow it up."

Hezbollah is a Lebanese militia

group that the U.S. government has labeled a terrorist organization. It is a felony to finance such groups.

The council said in its lawsuit, which seeks \$2 million in damages, that Ballenger's comments harmed its reputation and were not protected because he was not speaking in his role as a member of Congress.

"His statements are a symptom of what we see as rising anti-Muslim rhetoric," said Arsalan Iftikhar, CAIR's director of legal affairs. "This sends a message that if you make unlawful, disparaging remarks, we will hold you accountable."

Ballenger's Washington office said yesterday that he had no comment on the lawsuit. Calls to Donna Ballenger, who now lives in their Hickory, N.C., home, were not returned.

After the announcement of his retirement, Ballenger told North Carolina reporters that his remarks in the *Observer* were meant to explain his wife's unhappiness in Washington and their breakup, and did not reflect his own opinions about the Muslim organization.

"I was quoting my wife's feelings," he said, according to the *Raleigh News & Observer*. "I couldn't give a hoot about the Muslims across the street."

In October, however, the *Associated Press* quoted Ballenger as saying that he objected to the council's presence. "The only difference I have is that building

across the street," Ballenger told the wire service. "In my opinion, it should never have been leased" to the council.

Ballenger has a history of making blunt and controversial statements. Last December, he infuriated African Americans and women's groups when he said that Rep. Cynthia McKinney (D-Ga.) had stirred in him "a little bit of a segregationist feeling. . . . I mean, she was such a bitch." Ballenger later apologized.

"Sometimes Cass gets started and talks a little too fast," Hickory Mayor Rudy Wright said at the time.

In 1995, Ballenger explained to a *Washington Post* reporter how he solicited donations from manufacturing company owners by telling them that if Republicans took over the House, he would help limit workplace safety regulations at their plants. "And I'd say, 'I need some money.' And—whoosh!—I got it," Ballenger said.

He also refused to remove a statuette of a black-faced lawn jockey from the front yard of his Hickory home. An aide painted the jockey's face with white primer after Ballenger's apology to McKinney.

Ted Arrington, a political science professor at the University of North Carolina at Charlotte, said Ballenger's style was popular in his congressional district, which is dominated by workers at textile mills and furniture manufacturing plants. Arrington said Ballenger's replacement "will be a lot like Cass but more careful with the lip."

Weather

Today: Cool, rain.
High 56, Low 44.
Saturday: Partly sunny,
breezy. High 62, Low 46.
Details, Page B8

The Washington Post

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EDITION

Inside: Weekend
Today's Contents on Page A2
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FRIDAY, OCTOBER 17, 2003

M

General Rebuked For Talk Of God *Speeches Tied War, Religion*

By BRADLEY GRAHAM
Washington Post Staff Writer

Remarks by a three-star U.S. Army general casting the war on terrorism in religious terms drew rebukes yesterday from politicians and military specialists and calls from religious groups for the officer to be reassigned or reprimanded.

But the Pentagon's top military commander defended the officer, Lt. Gen. William G. "Jerry" Boykin, saying he did not think any military rules had been broken.

The controversy followed reports Wednesday on "NBC Nightly News" and yesterday in the Los Angeles Times citing Boykin, who is an evangelical Christian, speaking in uniform to church audiences over the past two years. He spoke of Islamic extremists hating the United States because "we're a Christian nation" and added that our "spiritual enemy will only be defeated if we come against them in the name of

Jesus." He said that President Bush "is in the White House because God put him there," and that "we in the army of God . . . have been raised for such a time as this."

Discussing a U.S. Army battle against a Muslim warlord in Somalia in 1993, Boykin told one audience: "I knew my god was bigger than his. I knew that my god was a real god and his was an idol."

A much-decorated veteran of covert military operations, Boykin took over in June as deputy undersecretary of defense for intelligence, heading a new Pentagon office focused on hunting al Qaeda leader Osama bin Laden, former Iraqi president Saddam Hussein and other high-profile targets.

His tendency to frame the fight against terrorism as a religious battle contrasts with attempts by Bush and senior aides to avoid such language out of concern that it could sound inflammatory in the Muslim world and play into efforts by Islamic extremists to portray themselves as engaged in a holy war.

"The lesson here is not whether someone has a constitutional right to say what he wants," said Peter Feaver, an associate professor at Duke University specializing in civil-military affairs. "The lesson is how things spoken in one context will be interpreted differently in another."

Outraged by Boykin's remarks, the Interfaith Alliance appealed to Bush to reprimand the general. An Islamic rights group, the Council on American-Islamic Relations, de-

manded that Boykin be reassigned.

"Putting a man with such extremist views in a critical policymaking position sends entirely the wrong message to a Muslim world that is already skeptical about America's motives and intentions," said Nihad Awad, the council's executive director.

Sen. Lincoln D. Chafee (R-R.I.) called the reported remarks "deplorable," and Sen. John W. Warner (R-Va.) said the Armed Services Committee, which he chairs—and which recommended Boykin be confirmed for the Pentagon post—would examine the matter.

But at a Pentagon news conference, Gen. Richard B. Myers, chairman of the Joint Chiefs of Staff, said that "at first blush" he did not think Boykin's remarks had violated any military rules.

"There is a very wide gray area on what the rules permit," Myers said, noting that he also had spoken at a prayer meeting in uniform.

Defense Secretary Donald H. Rumsfeld, appearing with Myers, offered no opinion on Boykin's comments but praised the general as "an officer that has an outstanding record in the United States armed forces."

Even with such backing, however, Boykin indicated that he had learned a lesson, telling NBC News that he will be curtailing his speechmaking. Said Feaver, "This is the kind of thing that's corrected within minutes of being made aware of."

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CAIR

Council on American-Islamic Relations

National Headquarter Office

453 New Jersey Ave., SE

Washington, DC 20003

Telephone: 202-488-8787 • FAX: 202-488-0833

www.cair-net.org • Email: cair@cair-net.org

CAIR

CHAPTERS

CAIR - Arizona

Main Telephone: 602-262-2247

Email: director@cairaz.org

CAIR - Austin

Main Telephone: 512-577-2247

Email: info@cair-austin.org

CAIR - California N.

Main Telephone: 408-986-9874

Email: cair_nca@cair-california.org

CAIR - California S.

Main Telephone: 714-776-1847

Email: cair_sca@cair-california.org

CAIR - Canada

Main Telephone: 613-254-9704

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CAIR - Central Coast

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Email: centralcoast@cair-california.org

CAIR - Central PA

Main Telephone: 717-730-4400

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CAIR - Chicago

Main Telephone: 312-922-4720

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CAIR - Cincinnati

Main Telephone: 513-281-8200

Email: cincinnati@cair-ohio.com

CAIR - Cleveland

Main Telephone: 216-830-2247

Email: cleveland@cair-ohio.com

CAIR - Dallas/FW

Main Telephone: 972-462-9630

Email: info@cairdfw.org

CAIR - Florida

Main Telephone: 954-797-7493

Email: florida@cair-net.org

CAIR - Houston

Main Telephone: 713-838-2247

Email: cair@cairhouston.org

CAIR - Maryland

Main Telephone: 301-657-1850

Email: md@cairmd.org

CAIR - Michigan

Main Telephone: 248-569-2203

Email: cair@cairmichigan.org

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The Status of Muslim Civil Rights in the United States: 2004

This is the 9th annual release of the report that monitors the Muslim community's encounter with discrimination in the United States.

This report is based on accounts from Muslim community members about harassment, prejudice and violence they face in their daily life (in the workplace and schools) and the mistreatment they experience as they come in contact with local and federal government employees.

This edition contains statistics and trend analysis of reported incidents of hate crime and bias illustrated with narratives and charts.

This is not only a good resource on discrimination; it offers a lot of field knowledge relevant to sensitivity training. It shows how people in the U.S. are sometimes profiled and stereotyped and then treated differently because of real or perceived ethnic and religious association.

CAIR

Council on American-Islamic Relations

453 New Jersey Avenue, SE

Washington, DC 20003

www.cair-net.org

Tel: (202) 488-8787 • Fax: (202) 488-0833 • Email: cair@cair-net.org