



**CAIR**  
CALIFORNIA

ANNUAL LEGAL REPORT

**2021**

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# ABOUT CAIR-CA

**T**he Council on American-Islamic Relations, California (CAIR-CA), is a chapter of the nation's largest American Muslim civil rights and advocacy organization. CAIR-CA's mission is to enhance the understanding of Islam, protect civil rights, promote justice, and empower American Muslims.

Through its offices in the Greater Los Angeles Area (CAIR-LA), Sacramento Valley/Central California (CAIR-SV/CC), San Diego (CAIR-SD), and the San Francisco Bay Area (CAIR-SFBA), CAIR-CA serves California's estimated one million American Muslims.

CAIR-CA provides direct legal services to refugees/asylees, immigrants, and victims of discrimination. CAIR-CA also works with the media, facilitates community education as it relates to civil rights and civic participation, and engages in policy advocacy.

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CAIR-CA would like to thank Eugene W. Fields, CAIR-LA Communications Manager; Hasna El-Nounou, CAIR-SV/CC Outreach & Youth Development Coordinator; Zoha Raza, CAIR-SFBA Communications Coordinator; and Omair Khan, CAIR-SD Operations and Development Manager for providing invaluable support on this project.

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**YOU MAY SHOOT ME WITH  
YOUR WORDS, YOU MAY  
CUT ME WITH YOUR EYES,  
YOU MAY KILL ME WITH  
YOUR HATEFULNESS, BUT  
STILL, LIKE AIR, I'LL RISE!**

MAYA ANGELOU

Vote on or before November 3, 2020



These defiant and hopeful words from one of America's foremost poets, Maya Angelou, have propelled many of CAIR-CA's efforts in years past to guarantee freedom and dignity for all. With the COVID-19 pandemic and reckonings around racial justice rocking the nation, CAIR-CA redoubled its focus on challenging anti-immigrant bigotry and Islamophobia. During these uniquely difficult times, our team worked tirelessly on behalf of the American Muslim community to ameliorate the Trump administration's attacks against vulnerable and targeted communities.

In 2020, CAIR-CA conducted 1,769 legal intakes serving impacted individuals, families, and organizations. In March 2020, in line with State health directives we closed our offices due to the COVID-19 pandemic and transitioned to providing remote legal services, yet we continued to serve the community by successfully transitioning to providing remote legal services.

Driving our direct representation was sustained outreach, organizing, political advocacy, and educational publications aimed at redressing civil rights violations. CAIR-CA's attorneys sent demand letters to and filed lawsuits against employers, airlines, and government agencies responsible for engaging in anti-Muslim animus. In response to the unprecedented economic crisis brought about by the pandemic, CAIR-CA's legal teams pivoted rapidly to aid individuals who faced sudden employment termination and eviction.

Meanwhile, CAIR-CA's immigration programs continued to offer representation on matters as diverse as removal defense,

naturalization, adjustment of status, family reunification, employment authorization, and asylum. Our immigration attorneys filed petitions for relief under the Violence Against Women Act (VAWA) for victims of domestic violence and for victims of certain crimes under the U Nonimmigrant Status (U-Visa) category. Meanwhile, CAIR-CA's increased focus on individuals facing long-term detention and eventual deportations ensured that individuals and families had a fighting chance to stay together by providing immediate and effective legal representation.

While the overall number of immigration and civil rights complaints received by our offices declined, complaints relating to travel nearly tripled. This increase was a result of pandemic-related border closures and travel restrictions. For example, CAIR-CA aided Yemeni Americans who struggled to ensure the safety of their loved ones who found themselves stranded in Yemen and unable to return home.

Meanwhile, the Trump administration's relentless assault on immigrants ensured that CAIR-CA's immigration teams had their hands full attempting to protect people fleeing violence and persecution only to face the onslaught of expedited removal policies for asylum seekers. We also challenged the implementation of public charge rules aimed at marginalizing working class immigrants by creating unnecessary obstacles to obtain permanent lawful status.

Ultimately, CAIR-CA continued its stringent advocacy and representation of individuals, families, and social institutions to build a nation grounded in justice, equality, inclusivity, and religious harmony.

# INTAKES RECEIVED IN 2020



**1,076**  
IMMIGRATION



**149**  
TRAVEL



**100**  
EMPLOYMENT  
DISCRIMINATION



**97**  
LAW ENFORCEMENT  
HARASSMENT



**59**  
COVID-19 RELATED  
ASSISTANCE



**52**  
HATE INCIDENTS  
& HATE CRIMES



**28**  
INMATES'  
RIGHTS  
ADVOCACY



**19**  
HIGHER EDUCATION  
ACCOMMODATION &  
DISCRIMINATION



**18**  
SCHOOL K - 12  
BULLYING &  
HARASSMENT



**12**  
PUBLIC  
ACCOMMODATION



**9**  
HOUSING  
DISCRIMINATION



**150**  
OTHER /  
REFERRALS

<b>IMMIGRATION</b>	<b>1,076</b>	
Naturalization or Citizenship Preparation	361	33.6%
Adjustment of Status	136	12.6%
Petition for Alien or Future Relatives	118	11.0%
Asylum	65	6.0%
Removal Defense	57	5.3%
T/U Visa/VAWA Petitions	38	3.6%
Temporary Protected Status (TPS)	1	0.1%
Immigration Benefits Delay	3	0.3 %
Muslim Ban	3	0.3%
Other Immigration Assistance	294	27.2%
<b>TRAVEL</b>	<b>149</b>	
Repatriation	115	77.2%
Customs & Border Protection (CBP)	20	13.4%
Transportation Security Administration (TSA)	7	4.7%
Airlines/ Transportation Discrimination	7	4.7%
<b>EMPLOYMENT DISCRIMINATION</b>	<b>100</b>	
Failure to Hire	13	13.0%
Hostile Work Environment/Harassment	32	32.0%
Religious Accommodation	38	38.0%
Retaliation/Wrongful Termination	17	17.0%
<b>LAW ENFORCEMENT HARASSMENT</b>	<b>97</b>	
FBI Voluntary Questioning	35	36.1%
State & Local Law Enforcement	40	41.3%
General Concerns	22	22.6%
<b>COVID-19 RELATED</b>	<b>59</b>	
Unemployment Benefits Assistance	45	76.3%
Stimulus Payments Assistance	8	13.6%
Tenants' Protection & Eviction Defense	6	10.1%

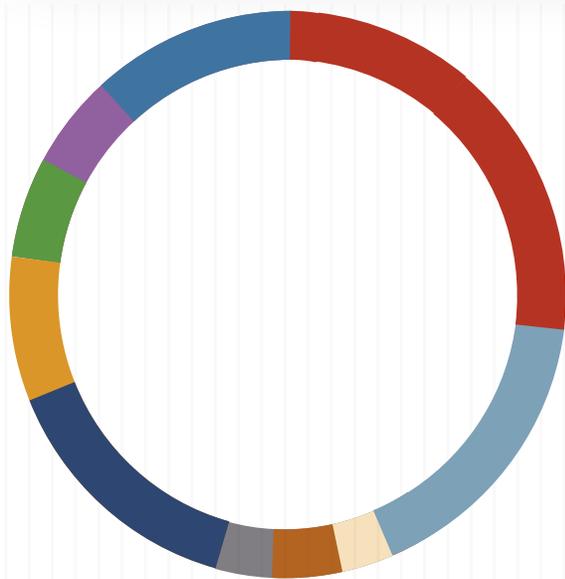
<b>HATE INCIDENTS &amp; HATE CRIMES</b>	<b>52</b>	
Hate Crimes	6	11.5%
Hate Incidents	46	88.5%
<b>INMATES' RIGHTS ADVOCACY</b>	<b>28</b>	
<b>HIGHER EDUCATION ACCOMMODATIONS &amp; DISCRIMINATION</b>	<b>19</b>	
<b>SCHOOL K - 12 BULLYING &amp; HARASSMENT</b>	<b>18</b>	
K - 12 Accommodations	7	38.9%
K - 12 Bullying	10	55.6%
K - 12 Administration/Other	1	5.5%
<b>PUBLIC ACCOMMODATION</b>	<b>12</b>	
<b>HOUSING DISCRIMINATION</b>	<b>9</b>	
<b>OTHER/REFERRALS</b>	<b>150</b>	
<b>INTAKES BY OFFICE</b>	<b>1,769</b>	
Greater Los Angeles Area	771	
San Francisco Bay Area	748	
Sacramento Valley/Central California	192	
San Diego	58	
<b>INTAKES BY COUNTY</b>	<b>1,382</b>	
Los Angeles	289	
Orange	285	
Santa Clara	203	
Alameda	198	
Sacramento	127	
Contra Costa	70	
San Francisco	59	
San Diego	57	
Riverside	49	
San Mateo	45	

**TOTAL** **1,769**



# REUNITING FAMILIES

## AND RESISTING ANTI-IMMIGRANT POLICIES



### IMMIGRATION

**1,076**

■ Naturalization or Citizenship Preparation	<b>361</b>	33.6%
■ Adjustment of Status	<b>136</b>	12.6%
■ Petition for Alien or Future Relatives	<b>118</b>	11.0%
■ Asylum	<b>65</b>	6.0%
■ Removal Defense	<b>57</b>	5.3%
■ T/U Visa/VAWA Petitions	<b>38</b>	3.6%
■ Temporary Protected Status (TPS)	<b>1</b>	0.1%
■ Immigration Benefits Delay	<b>3</b>	0.3%
■ Muslim Ban	<b>3</b>	0.3%
■ Other Immigration Assistance	<b>294</b>	27.2%

**C**AIR-CA's offices responded to over 1,000 immigration intakes in 2020. Community members were often concerned and sometimes panicked by incessant changes and reversals in U.S. immigration policies pertaining to family reunification and asylum/refugee protections. In response, we provided

affirmative representation for immigration benefits including naturalization, adjustment of status, asylum, family-based petitions, and relief under Deferred Action for Childhood Arrivals ("DACA") and expanded our services to provide representation in removal defense hearings. Additionally, our immigration attorneys represented clients in dire circumstances to assess and apply for additional forms of humanitarian relief, such as

visas for victims of human trafficking (“T visa”), victims of certain criminal activity (“U visa”), and Violence Against Women Act (“VAWA”) self-petitioners.

## PATHWAYS TO A PROMISED LAND CITIZENSHIP AND NATURALIZATION APPLICATIONS

CAIR-CA assisted community members to secure the rights of U.S. citizenship that have long eluded immigrants and refugees. In 2020, the Trump administration attempted to implement significant application fee increases. The COVID-19 pandemic and subsequent travel bans implemented by the Trump administration resulted in an anticipated 60% drop in citizenship applications and nearly brought the immigration system to a shuddering halt.<sup>1</sup>

In response, CAIR-CA’s attorneys submitted public comments opposing the efforts to curb all forms of immigration, especially as to low-income immigrants.<sup>2</sup> Despite the obstacles presented by the COVID-19 pandemic, we conducted consistent outreach through virtual citizenship drives and clinics to increase the number of naturalization applicants served. A vast amount of our immigration departments’ efforts were focused on informing prospective applicants about the requirements of naturalization and providing legal representation as they navigated the process. As the stories below illustrate, CAIR-CA’s immigration departments offered one-on-one attorney assistance to green card holders eligible for naturalization at no charge.

In one instance, CAIR-LA was able to assist a Muslim woman of Pakistani origin residing in Orange County navigate the complex maze of immigration rules and procedural impediments so she could leave a harrowing marriage. Having been married in Pakistan and having survived abuse during the early years of her relationship, the client set aside her fears and relocated to the U.S. with her young daughter in hopes of mending her marriage. Unfortunately, the added physical proximity led to increased episodes of abuse. The client’s spouse leveraged his financial clout to control her access to their

joint finances and imposed restrictions on her ability to get to safety. Fed up with the danger to her life, the client reported the physical abuse to law enforcement. The client was forced to retract the report due to threats made by her then-husband who used her conditional immigration status to manipulate her into silence. It was at that moment in 2019 that the client turned to us for assistance to remove the conditions on her permanent resident status.

CAIR-LA’s immigration attorneys worked diligently to file the application that was approved in June 2019, thereby easing her worries of returning to Pakistan where she might have been further harmed by her spouse’s family. The client became eligible for naturalization in 2020, and CAIR-LA’s attorneys represented her before USCIS by ensuring that her narratives and documentation were accurate before filing her citizenship application. While the pandemic and the Trump administration’s bureaucratic stifling of USCIS led to delays, the client had an interview with USCIS in early February of this year. CAIR-LA’s attorney attended her interview to ensure issues related to her previous application did not further delay the approval of her application. This prompt advocacy resulted in USCIS approving the client’s naturalization application on the same day as the interview. The client was extremely thankful for our representation during the entire process. Becoming a U.S. citizen will ensure that she does not have to look over her shoulder constantly and that she

**CAIR-LA’S IMMIGRATION ATTORNEYS WORKED DILIGENTLY TO FILE THE APPLICATION THAT WAS APPROVED IN JUNE 2019, THEREBY EASING HER WORRIES OF RETURNING TO PAKISTAN WHERE SHE MIGHT HAVE BEEN FURTHER HARMED BY HER SPOUSE’S FAMILY.**



can continue building a better life for her daughter and herself.

In a story central to CAIR-CA's immigration advocacy work, CAIR-LA's attorneys represented an elderly woman of Afghan origin who had been living in the U.S. as a lawful permanent resident since 1989. As a non-native English speaker, the woman attempted to naturalize four times but was denied because of her inability to pass the English language and civics exams. Desperate to avoid being locked out of the opportunity to naturalize, she turned to CAIR-LA for assistance in 2020. While the client was now exempt from demonstrating her English language proficiency due to her age and presence in the U.S., she would still be required to pass the civics exam.

Having resubmitted her application for naturalization in 2019, CAIR-LA made additional efforts to help the client prepare for the second attempt this past July. An attorney represented the client at her in-person interview via phone due to pandemic restrictions. To everyone's relief and delight, at the end of the interview, the client's naturalization application was approved, and she was able to take her oath of allegiance.

CAIR-SV/CC's immigration attorneys worked with an Afghan couple in filing their naturalization applications after a circuitous journey to the U.S. The couple had entered the U.S. on Special Immigrant Visas, which are available to individuals who provided service to the U.S. government, while being employed by or on behalf of the U.S. government in places such as Afghanistan and Iraq. The couple worked with the U.S. government in Afghanistan as translators on dangerous assignments that placed their lives at risk. Doing so however, placed a target on the family, thereby ensuring that they would not be able to live a full life in Afghanistan without having to look over their shoulders. Congress passed laws allowing Afghan nationals such as this couple to immigrate to the U.S. as permanent residents owing to the life-threatening nature of their work.<sup>3</sup> While this should have ensured a smooth and fair path for permanent residents to eventually become naturalized citizens pending residency and character requirements, the couple faced multiple delays.

In 2020, the couple were eligible for citizenship having met all ostensible requirements, yet their naturalization interview was abruptly canceled without explanation

or reason a few days before their scheduled date. The worried couple contacted CAIR-SV/CC, whose attorneys immediately represented the couple and made inquiries as to the reasons for the cancellation and delays. Our immigration attorneys prepared detailed documents outlining the couple's eligibility for naturalization and ensured repeated follow ups leading to USCIS scheduling an interview shortly thereafter. Having passed the interview and taken their oath, the newly minted U.S. citizens were overjoyed at the realization that they would now be able to participate in one of our most cherished rights, voting in a U.S. election for the first time.

## HOME OF THE BRAVE, LAND OF THE FREE ASSISTING TARGETED INDIVIDUALS & T VISA/U VISA/VAWA PETITIONS

With global migration patterns reaching unprecedented levels, and as political turbulence and economic deprivation force individuals into precarious situations, CAIR-CA's immigration attorneys have frequently found themselves having to counsel and guide community members who were the target of violence, often at the hands of loved ones. The COVID-19 pandemic added further complications as non-citizen targets of violence – as well as witnesses who bravely stepped out of the shadows to play a role in our justice system – were at a heightened risk of being detained or deported. Immigrant survivors of violence already encounter barriers to accessing services, employment, and government assistance. These inequities have only been exacerbated during the COVID-19 pandemic.

In one such instance, CAIR-SFBA's immigration attorneys were contacted in 2019 by an Afghan national seeking assistance with her immigration status. The client married her fiancé shortly after arriving in the U.S. and he filed a green card petition on her behalf. Though the client's husband was initially loving and attentive, that changed during the first few months of their marriage. The client regularly endured horrific verbal, emotional, and physical abuse at the hands of her husband while he also threatened to withhold her green card application. Our immigration attorneys worked diligently in assisting the client to pursue her green card application without her abusive spouse's

## THE CLIENT WAS TERRIFIED OF BEING TURNED OVER TO ICE AND DEPORTED TO MEXICO IF SHE REPORTED THE INCIDENTS TO LAW ENFORCEMENT.



knowledge. The attorneys assisted the client by helping her obtain records, representing her at an interview with USCIS, and advocating for her to be granted the green card absent her spouse's presence due to the abuse she suffered. Six months after the USCIS interview, the client received her approval notice for the green card, guaranteeing her ability to build an independent life for herself absent the fear that surrounded her during her brief marriage.

In another case, CAIR-SV/CC was contacted by the family of an undocumented minor from Mexico who had to leave the country at an early age due to violence she experienced in her hometown of Calico City. The client entered the U.S. as a minor but did not meet the age requirements of temporary humanitarian relief programs such as DACA. Once in the U.S., the client unfortunately faced sexual abuse at the hands of a family member who preyed on her age and lack of immigration status. As someone who was undocumented and aware of the terrifying raids that Immigration and Customs Enforcement ("ICE") agents would conduct separating adults from children, the client was terrified of being turned over to ICE and deported to Mexico if she reported the incidents to law enforcement.<sup>4</sup>

Upon reaching out to CAIR-SV/CC's immigration attorneys, the client was informed that reporting the alleged crimes to law enforcement, while tricky, could potentially ensure her safety while ensuring that the individual involved was held responsible for his actions. The immigration attorneys determined the client would be best suited for a U visa, a nonimmigrant status that is available to victims of certain crimes who suffer mental or physical abuse including sexual violence and are helpful to law enforcement or government agencies in the investigation and prosecution of these crimes.

Our legal staff worked closely with the client to prepare a narrative about her experiences and gather medical data and other evidence of the harm she had suffered. They also

reached out to the relevant police department to obtain the necessary certification and drafted a legal memorandum to accompany the application explaining how the client was eligible for, and deserving of, the visa. If granted the U-Visa, she will be able to legally live in the U.S. for four years. During that time, she could apply for a green card to stay in the U.S. permanently, thereby providing her with future educational and employment opportunities that are often denied to undocumented communities. The case is currently pending adjudication before USCIS.

CAIR-LA's immigration attorneys provided legal assistance in a case involving a young woman who came to the U.S. on a student visa with bright hopes for her future. While a student at an East Coast college, she met and fell in love with her future husband. After marriage, the couple moved to California in February 2020 so her husband could begin his new job. Isolated and in unfamiliar surroundings, the client faced abuse at her husband's hands. As the pandemic forced an end to social life, the increased proximity resulted in the client becoming a frequent target of her spouse's verbal and physical attacks. As they spent time together in quarantine, she noticed a shift in his mood and an increasing reliance on alcohol and drugs. After her husband lost his job, there was an escalation in violence toward her that resulted in repeated law enforcement interventions.

Determined to protect herself and move on from the horrific treatment she had endured, the client was able to receive a permanent restraining order after multiple temporary restraining orders failed to ensure her safety. Upon leaving her husband, she was unable to find or afford the legal assistance she needed to secure her immigration status. As a last resort the woman reached out to CAIR-LA for representation and our immigration attorneys worked closely with her to file a VAWA petition that would allow her to obtain a green card, thereby guaranteeing that she could remain in the U.S. While the petition was filed in December 2020 and is currently

pending adjudication, the client can stay in the U.S. legally and build a better life for herself.

## WALKING ON EGG SHELLS REPRESENTING SEPARATED FAMILIES

In another year of attacks by the Trump administration on immigrant families, CAIR-CA immigration attorneys ramped up their representation of individuals facing the haunting specter of deportation or detention. The global COVID-19 pandemic exacerbated the already unacceptable health and sanitation conditions for incarcerated individuals in prisons and detention facilities across California. Advocacy groups and elected officials called on Governor Newsom to immediately stop the transfer of individuals recently released from local and state jails and demanded that they be reunited with their family members as opposed to being deported.<sup>5</sup> Various investigations have revealed that detainees in immigration detention facilities, usually operated through an agreement between private contractors and ICE, face delayed medical care, an inability to practice effective social distancing, and lack access to cleaning supplies or disinfectant.<sup>6</sup>

In this distressing context, CAIR-SV/CC's immigration attorneys were approached by a Sunni man who had fled persecution in Pakistan, based on his marriage to a Shia woman. The couple fled their home in Lahore and moved several times in search of security. Newly pregnant and knowing they would not be safe in the country, the couple decided to flee to the U.S. Making their way through South and Central American nations, they arrived at the southern border tired and disheveled. After presenting themselves to U.S. Customs & Border Patrol ("CBP") agents, the couple was taken into ICE custody. Shortly after, the client's wife was released because of her pregnancy while he remained imprisoned. To add to the family's predicament, the client also struggled with Fahr's Syndrome – a neurological disorder that affects areas of the brain that control movement. This caused him to experience recurring strokes and painful episodes of limbic pain, resulting in his placement on the suicide watch list. As is common for individuals placed in immigration detention, the client was denied access to necessary

medical treatment as his symptoms worsened while also being placed in solitary confinement.

Our attorneys worked hard to ensure that the client received prompt medical care and represented him in removal proceedings. Losing would place the client at risk of deportation to Pakistan where he feared violence. IRC attorneys stepped into this case, among others, to prevent the Trump administration's fast-track deportation process, known as expedited removal. Over the past few years, ICE agents have unilaterally questioned, arrested, detained, and deported undocumented immigrants – encountered anywhere in the country - who have been in the U.S. for less than two years.<sup>7</sup> Currently, IRC attorneys are working to petition immigration judges to set aside his order of removal and allow the family to apply for other forms of immigration relief - such as asylum - available in cases like this one.

In another notable case, CAIR-LA's immigration attorneys stepped in to represent a Muslim family who fled Myanmar in 2019 following heightened persecution against religious minorities, particularly Muslims. Upon arriving in the U.S., the family immediately applied for asylum so they would not be forced to return to the horrific conditions they had faced in Myanmar. Unfortunately, USCIS denied their asylum claim and their case was quickly referred to immigration court for removal proceedings, potentially owing to translation errors and inability to present sufficient evidence. The Myanmar government and regional law enforcement tacitly supported brazen attacks by turning a blind eye and offering no protection in the wake of hate crimes committed against Muslim-owned businesses and mosques. In one incident, the husband's business was the target of such attacks and was met with silence when he complained to local law enforcement. Additionally, the wife endured years of mistreatment and harassment at the hands of her family because she had converted from Buddhism to Islam and intended to raise her child as a Muslim. Her family refused to respect her decision to follow Islam by accusing her of being manipulated into becoming Muslim by her husband.

Fearing for their lives, the family reached out to CAIR-LA's immigration attorneys for representation in immigration court. Our immigration staff worked to bolster their application with supplemental evidence of the harm and

## OUR IMMIGRATION STAFF WORKED TO BOLSTER THEIR APPLICATION WITH SUPPLEMENTAL EVIDENCE OF THE HARM AND RISK OF PERSECUTION THE FAMILY WOULD FACE BECAUSE OF THEIR RELIGIOUS BELIEFS, IF THEY WERE NOT ALLOWED TO REMAIN IN THE U.S.



risk of persecution the family would face because of their religious beliefs, if they were not allowed to remain in the U.S. With Myanmar’s military seizing power from the civilian government of Aung San Suu Kyi, there is a groundswell of concern that Muslim communities in and around Myanmar, including Rohingyas, will face an increase in state sanctioned violence, in addition to stalled repatriation of impacted communities.<sup>8</sup> As of this writing, the family resides safely in the U.S. pending a hearing scheduled for 2022.

### A FINAL STOP REPRESENTING REFUGEES AND ASYLEES

CAIR-CA attorneys and advocates have continued to oppose attacks on procedural and substantive protections for refugees and asylees, often the most silenced and vulnerable members of our communities.

In this context, CAIR-CA opposed the Trump administration’s proposed asylum rule that would require all asylum seekers to file highly technical asylum applications within 15 days of their first court hearing. The proposed rule changes would have represented a near insurmountable barrier for asylum seekers, especially for those in detention centers, without language access or competent counsel to effectively represent them.<sup>9</sup> In a submitted public comment, CAIR-CA attorneys argued that requiring immigration judges to complete cases 180 days after filing of asylum applications would come at the cost of fairness to asylum seekers, who would likely be unable to make strong showings of their eligibility for asylum relief.<sup>10</sup> Additionally, during asylum adjudications, an immigration judge could potentially introduce his or her own evidence or discount the nongovernmental

information supplied by an asylum seeker, raising the risk of rejection.<sup>11</sup> These rule proposals are a mere snapshot of the many attempts by the Trump administration to gut the asylum policies that have ordinarily protected asylum seekers.

Despite these attempts to make it difficult for asylum seekers to obtain approval of their applications, CAIR-LA’s immigration attorneys were able to assist a Bengali Muslim man who fled Myanmar after being attacked by the government’s paramilitary forces and members of the Patriotic Association of Myanmar, a hyper nationalist organization who have been accused of attacking Muslim communities in the country.<sup>12</sup> Institutionalized anti-Muslim discrimination and persecution often lead to citizenship denial and exclusion from census counts, among other human rights concerns.<sup>13</sup> Despite accusations of genocide by the international community and human rights groups, the Myanmar government and its military forces once again ramped up the killings of innocent civilians through air and military strikes, deepening a conflict that has forced over 700,000 Rohingya Muslims to seek refuge in neighboring Bangladesh.<sup>14</sup>

CAIR-LA’s client, a practicing Muslim, met and fell in love with a Buddhist Burmese woman who, along with her family, insisted that he change his religion so that they could have a future together. Upon voicing his objection, he was approached by the woman’s uncle and several members of the hyper-nationalist Burmese group who physically assaulted and threatened him against the marriage because he was a Muslim. Keenly aware of the government’s complicity in the violence against Muslims, he decided to flee Myanmar and join some of his family in the U.S. on a tourist visa. Once in the U.S., the client’s uncle advised him to immediately contact CAIR-LA for legal assistance with his asylum application.

After asking for protection from the frenzied vigilante groups and the violent Burmese military, CAIR-LA's immigration attorneys prepared documentation of the significant threat of lynching and torture he would face in Myanmar, drafted a detailed declaration, and prepared him for his asylum interview. A CAIR-LA attorney attended the interview with the client and advocated for his eligibility for asylum. To his relief, the client was approved for asylum in January of 2020 and can now safely remain in the U.S. and practice Islam without fear of oppression.

In another compelling story, CAIR-SFBA's immigration attorneys were approached by a Yemeni man who fled Yemen in the wake of the ongoing civil war and humanitarian crisis. Residing in Sanaa, he was approached by Houthi rebels who requested his support and assistance in the war against the Yemeni government and then-president, Mr. Ali Abdullah Saleh. He refused to allow the Houthi rebels to use his neighborhood as a base during their conflict. To his dismay, the Houthi rebels were able to defeat the pro-government forces and forcibly take control of his neighborhood. Fearing that his refusal to assist the rebels in their cause meant that his life was in danger, he decided to leave for the U.S. immediately to seek refuge. The client presented himself promptly to CBP agents and affirmatively asked for protection from his pursuers in Yemen. Our immigration attorneys worked to prepare documentation evidencing the significant threats to his life and livelihood in Yemen. While the client is waiting for a hearing on his asylum application, he is also able to work and support himself, thanks to our immigration attorneys who assisted him with obtaining a work permit.

## THE LONG WAIT DELAYS IN IMMIGRATION PROCESSING

CAIR-CA immigration teams have continued representing Arab, Middle Eastern, Muslim, and South Asian ("AMEMSA") community members who face long delays when applying for immigration benefits that they would be ordinarily entitled to. Generally, USCIS officers are required to adjudicate naturalization applications within four months of conducting a citizenship

## AFTER ASKING FOR PROTECTION FROM THE FRENZIED VIGILANTE GROUPS AND THE VIOLENT BURMESE MILITARY, CAIR-LA'S IMMIGRATION ATTORNEYS PREPARED DOCUMENTATION OF THE SIGNIFICANT THREAT OF LYNCHING AND TORTURE HE WOULD FACE IN MYANMAR.



interview, yet large numbers of AMEMSA communities' members often get swept up by the dragnet that is the Controlled Application Review and Resolution Program ("CARRP").<sup>15</sup>

In 2008, USCIS first implemented CARRP to ensure that immigration benefits were not granted to individuals that supposedly posed a threat to national security. Data obtained from the government shows that between April 2008 and January 2016, USCIS opened nearly 42,000 CARRP cases, with the top five countries represented being Muslim majority nations, namely: Pakistan, Iraq, India, Iran, and Yemen.<sup>16</sup> However, the program has been found to often rely on deeply problematic mechanisms such as watch-lists, no-fly lists, and other security checks that often profile individuals based on markers such as race, religion, and national origin. Moreover, in violation of First Amendment and Due Process protections, CARRP does not provide applicants notice of their designation and does not allow these applicants an opportunity to refute such allegations.

CAIR-CA attorneys routinely challenge USCIS and DHS's unreasonable delays in deciding immigration applications by filing writs of mandamus in federal court. A writ is a petition to the court to order the relevant



■ CAIR-LA IMMIGRATION ATTORNEY, AMINA FIELDS PROVIDES REMOTE ADVICE TO A CLIENT.

government official, such as the Director of USCIS, to properly fulfill their official duties.

In 2020, CAIR-SFBA's immigration attorneys filed four writs of mandamus in federal court to help move clients' immigration applications forward. One such case involved a Uyghur woman who applied for naturalization in 2017 and was interviewed by USCIS in 2019 but was still awaiting a decision on her case. Running out of answers, the woman reached out to CAIR-SFBA hoping to learn the reasons behind USCIS' lengthy delay. After reviewing her immigration history including past immigration applications, our attorneys decided to file a writ of mandamus in the U.S. District Court for the Northern District of California to compel USCIS to either approve or deny her naturalization application, which would get her out of the limbo that she was stuck in.

This client's case, like those involving other individuals of Uyghur Muslim origin, required immediate attention given that members of the Uyghur community in China have been targeted through an over-broad, anti-Muslim program of "de-extremification" which includes measures such as banning certain Muslim baby names, torture, and political indoctrination in "reeducation camps" aimed at erasing religious identity under the guise of counterradicalism.<sup>17</sup>

This client had already received asylum because of her ethnic background and religious beliefs. The delay in her naturalization application was particularly harmful for her as it prevented her from being able to petition for her

parents, who were still in China and being threatened by the Chinese government because of her activism. She received video messages from the Chinese government threatening to harm her father and demanding that she return to China.

After the writ of mandamus was filed, USCIS agreed to consider and approve the application immediately. Success in these types of situations ensures that community members can live full lives in the U.S. without looking over their shoulder and extend a helping hand to vulnerable family members worldwide, where needed.

## ON COMPASSIONATE GROUNDS CASES OF HUMANITARIAN RELIEF

Public pressure and CAIR-CA's proactive representation bear fruit in cases where humanitarian reasons compel decision makers to act favorably despite numerous obstacles. CAIR-SFBA immigration attorneys were instrumental in reuniting Raghad Saleh, a 10-year-old Yemeni girl, with her family after she was stranded in Egypt for over a month because of the Muslim Ban and the closure of consular visa services due to COVID-19.<sup>18</sup>

Over the past few years, Raghad's father, Mr. Abo Bakr Saleh, a green card holder, petitioned for his entire family including Raghad's mother and her siblings to come to the U.S. to join him. The family left their home country of

## THIS SEPARATION DEEPLY DISTRESSED RAGHAD’S FAMILY, WHO WOULD HAVE OTHERWISE BEEN FORCED TO RETURN TO WAR-TORN YEMEN.



Yemen due to the ongoing civil war and traveled to Egypt to attend their interview at the U.S. Embassy there. While the family’s interview went well and they all hoped to receive their visas shortly, the Trump administration issued a ban on most immigrant visas during the COVID-19 outbreak.<sup>19</sup> The entire Saleh family was informed that their visas were issued and ready to be picked up in March except for Raghad’s. While the U.S. Embassy in Cairo promised to fix this significant oversight, the Trump administration’s suspension of immigrant visa services prevented any further action by the embassy. Raghad’s mother’s and siblings’ visas were set to expire in early July, so they had no choice but to leave Raghad behind with their neighbors.<sup>20</sup> This separation deeply distressed Raghad’s family, who would have otherwise been forced to return to war-torn Yemen.

Distraught, the family reached out to the Yemeni American Association who along with CAIR-SFBA brought attention to Raghad’s predicament. CAIR-SFBA promptly contacted the family’s congressional representative, Rep. Nancy Pelosi of California’s 12th congressional district, and worked closely with her staff to pressure the State Department to demand the expedited admittance of her constituent’s daughter. As a result of this advocacy, the U.S. Embassy in Cairo issued Raghad a visa to the U.S., where she now resides with her family.

CAIR-LA’s immigration attorneys were able to assist a community member with leukemia who needed a bone marrow transplant. When the client’s doctor provided her with tests to determine if any of her eight siblings were a match, she found that her older brother – an Ethiopian national - was a match. The brother immediately applied for a visitor visa to come to the aid of his sister in the U.S.,

but his visa application was repeatedly denied. Frustrated and running out of time, the client turned to CAIR-LA for assistance. Our immigration attorneys submitted a humanitarian parole request for her brother based on her urgent medical need, a last resort option granted to foreign nationals whose entry would be a significant public benefit. CAIR-LA worked directly with the client’s medical team to quickly gather all the documentation needed to file the request. Within three months of filing the application for the client, her brother’s request for humanitarian parole was approved. Fortunately, the client’s brother arrived just before the travel restrictions that were imposed. We are pleased to report that the client was able to undergo a successful bone marrow transplant and her brother is still in the U.S. assisting with her recovery.



RAGHAD SALEH IS REUNITED WITH HER FAMILY IN SAN FRANCISCO.

## END OF AN ERA THE MUSLIM BAN WINDS DOWN BUT THE SCARS REMAIN

The Day One repeal of the Muslim Ban by the incoming Biden administration was a culmination of years of mass resistance to the separation of tens of thousands of families based on their national origin and religious beliefs. Effective beginning January 20, 2021, the Muslim Ban was rescinded, but the impact on our community remains. CAIR-CA will continue to advocate for just and humane immigration policies to ameliorate the impact of the anti-Muslim animus ingrained in the immigration system.<sup>21</sup>

The proclamation repealing the Ban directs the State Department to submit a report regarding individuals whose applications are being considered for waivers under the Bans and a plan for expediting such applications. It also includes a proposal to ensure that previously denied visa applications under the Bans are reconsidered and creation of policies to ensure that visas are not denied in the future solely because of these previous denials.<sup>22</sup> President Biden has also committed to a much-needed review of the effectiveness of the “extreme vetting” procedures put in place by the prior administration. Under extreme vetting procedures, the U.S. government required all individuals applying for visas to submit information about their social media accounts, their siblings, their work, employment, and travel history for the past fifteen years.<sup>23</sup>

In years past, CAIR-SFBA as a founding member of the No Muslim Ban Ever Campaign, has led the fight against the various iterations of the Muslim Ban imposed by the Trump administration. CAIR-SFBA’s advocacy has particularly focused on the waiver process, which permitted certain individuals deemed non-threatening by consular officials to be granted a waiver to come to the U.S. despite the ban. However, the purported waiver process lacked transparency and left many families separated. Thus, for thousands of individuals and families indefinitely separated by the Muslim Ban, the waiver provision has, as a practical matter, amounted to nothing more than an empty promise. In July 2018, CAIR-SFBA along with its partners, the National Immigration Law

Center (“NILC”), Asian Americans Advancing Justice-Asian Law Caucus (“AAAJ-ALC”), the Iranian American Bar Association, Lane Powell PC, and Arnold & Porter Kaye Scholer LLP, filed a federal class action lawsuit that sought to hold the Trump administration accountable for its failure to implement a good-faith, lawful, and constitutional waiver process that would allow individuals who qualify for waivers to be issued visas.<sup>24</sup>

The lawsuit, PARS Equality Center, et al. v. Pompeo, et al., sought to shed light on how the government’s waiver process was so arbitrary in its application that it made it impossible for attorneys and impacted families to predict the outcome of visa applications. In June 2020, Judge James Donato issued an order denying the Government’s Motion for Summary Judgement or Motion to Dismiss the case. Judge Donato sustained Plaintiff’s claims under the Administrative Proceedings Act and the Accardi doctrine, which directs administrative agencies to follow their own regulations, policies and procedures or risk having their actions invalidated if challenged in court. The judge dismissed Plaintiff’s Due Process claim under the Fifth Amendment. Despite the rescission of the Muslim Ban, some of CAIR-SFBA’s clients denied visas because of the Ban have not been issued visas as of the drafting of this report and thus, litigation is ongoing in this case.

To ensure that his executive order and the rollbacks of Trump’s immigration policies endure, President Biden should work closely with Congress to pass the National Origin-Based Anti-discrimination for Nonimmigrants (“No Ban Act”), supported by CAIR, NILC, AAAJ-ALC, and MPower Change, which would essentially limit present and succeeding executive branches from abusing the Immigration and Nationality Act to enact the Muslim Ban among other discriminatory policies.<sup>25</sup> The bill’s anti-discrimination clause would ensure that there would be no loopholes that could be exploited and that any future restrictions on immigration are fully supported by evidence, properly tailored to serve legitimate government purposes, and subject to Congressional and judicial oversight.<sup>26</sup> As of July 2020, the No Ban Act had been passed by the House with bipartisan support.



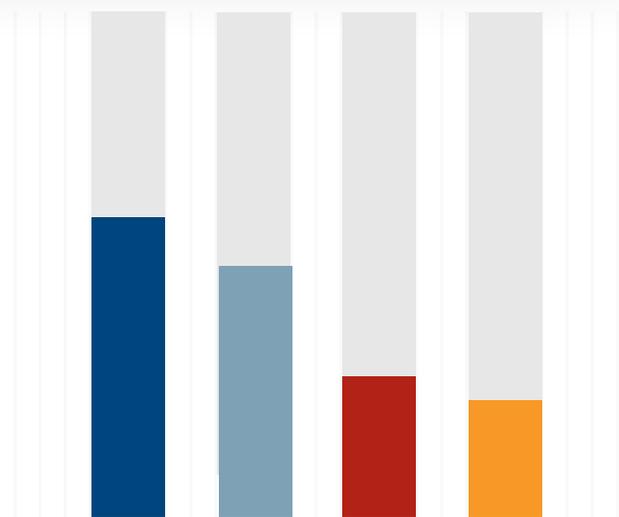


# UNWELCOME & EXCLUDED

## ISLAMOPHOBIA IN THE WORKPLACE

In 2020, CAIR-CA attorneys responded to employment discrimination and harassment complaints addressing issues like the failure to hire and/or promote Muslim employees, Islamophobic work environments, supervisory retaliation leading to adverse job consequences, and commonly, a failure to provide religious accommodations to Muslim employees. In engaging with employers and their legal counsel, CAIR-CA attorneys often come across incidents of willful neglect and inaction at workplaces where anti-Muslim animus created toxic work environments further exacerbated by supervisory acquiescence and co-worker participation. Equally troubling are instances involving the inability or unwillingness of employers to provide reasonable religious accommodations to Muslim employees, creating an impression that they are unwelcome and invisible.

To address violations of federal and state anti-discrimination laws, CAIR-CA's civil rights attorneys represent employees and workers by filing complaints with enforcement agencies tasked with remedying



### EMPLOYMENT DISCRIMINATION

100

- Religious Accommodation **38** 38.0%
- Hostile Work Environment/Harassment **32** 32.0%
- Retaliation/Wrongful Termination **17** 17.0%
- Failure to Hire **13** 13.0%

discrimination, i.e., the Equal Employment Opportunity Commission and California’s Department of Fair Employment and Housing (“DFEH”). When warranted, CAIR-CA attorneys initiate litigation by filing lawsuits and reaching impactful settlements against private and governmental employers for violations of civil rights statutes such as Title VII of the Civil Rights Act of 1964<sup>27</sup> and the Fair Employment and Housing Act (“FEHA”),<sup>28</sup> where applicable.

In a case evidencing roadblocks Muslim employees face while practicing their faith at work, CAIR-LA’s attorneys were contacted by a Muslim woman who had been working for nearly six months at a Los-Angeles County-based nonprofit. She was hired as an Activity Leader to lead activities and programs for the nonprofit’s stakeholders and enjoyed her work, receiving positive feedback from her supervisors. After she decided to wear a *niqab* to work, she began to experience increasingly derogatory comments, intended to mock her appearance and religious beliefs. This included a pointed remark by her supervisor, stating that “you are more like an Arabian Knight.” On another occasion, colleagues attempted to pressure the client into attending a workplace Christmas gala despite her polite protestations based on her religious beliefs. Shortly after these distressing encounters, her employment was terminated abruptly, leading to the inference that this adverse action was retaliatory. CAIR-LA attorneys got involved soon after by writing a demand letter to the employer outlining the illegality of the termination and the differential treatment meted out to the client and succeeded in negotiating a favorable monetary settlement agreement for the client.



CAIR-SV/CC STAFF CONDUCT OUTREACH TO PROVIDE LEGAL RESOURCES TO OUR COMMUNITY.

CAIR-SV/CC’s attorneys assisted of a Muslim woman who worked as a dispatcher and who dealt with pervasive and severe harassment at her workplace at the hands of a new supervisor. Despite 20 years of experience on the job, with nothing but positive performance reviews, her new supervisor repeatedly singled her out and targeted her for disciplinary actions for unsubstantiated reasons. For example, the client was forced to undergo corrective action including retraining for job duties she excelled in, despite being commended for her performance in past reviews. The woman attempted to bring these issues to light by speaking to her union representatives who were initially dismissive of her allegations. Having exhausted all plausible avenues, the client turned to our attorneys for advice and representation to ameliorate this escalation in hostilities.

**OUR ATTORNEYS ALSO WORKED CLOSELY WITH THE CLIENT TO ENGAGE IN AN INTERACTIVE PROCESS AND DIALOGUE WITH THE EMPLOYER’S HUMAN RESOURCES DEPARTMENT TO ENSURE THAT FUTURE WORKPLACE POLICIES WERE FAIR AND EQUITABLE TOWARDS RELIGIOUS MINORITIES AND PEOPLE OF COLOR.**



## AFTER THE CLIENT BEGAN TO WEAR HER *HIJAB*, SHE WAS ASKED BY HER MANAGER TO TAKE HER *HIJAB* OFF OR LEAVE WORK AS SHE HAD NOT OBTAINED PRIOR AUTHORIZATION TO WEAR THE RELIGIOUS HEAD COVERING.

CAIR-SV/CC sent a demand letter to the employer asserting claims of religious discrimination in the supervisor's treatment of the client. Our attorneys also worked closely with the client to engage in an interactive process and dialogue with the employer's human resources department to ensure that future workplace policies were fair and equitable towards religious minorities and people of color. In response, the employer agreed to implement immediate cultural sensitivity trainings and curriculum in their periodic training bulletins particularly geared towards employees of the Muslim faith.

In a similar case, CAIR-LA represented a client who faced regular harassment and subsequent termination at her workplace for being a practicing Muslim who observed *hijab*. The client was hired by a credit union in Los Angeles as a client representative where she was expected to interact with various members of the credit union. Shortly after being hired, the client observed *Eid al-Adha* and was inspired to commit herself to wearing the *hijab*. After the client began to wear her *hijab*, she was asked by her manager to take her *hijab* off or leave work as she had not obtained prior authorization to wear the religious head covering. The client informed her supervisor that her decision to wear the *hijab* was in line with her sincerely held religious beliefs. Despite her explanations that should have placed her employer on notice to provide reasonable accommodations, the client's supervisor insisted that she needed prior authorization to wear any religious head covering. However, the client had not been provided with any information or policy by her employer regarding prior approval for religious headwear. Embarrassed and humiliated by this discriminatory treatment, the client felt that she was being pressured to choose between her religion and employment.

The client briefly left her work and opted to return to work without her *hijab* owing to economic necessity. In the meantime, the employer made no efforts to accommodate the client's religious practices. Nevertheless, the client was terminated from her employment only a few days after she first wore her *hijab*. CAIR-LA attorneys issued a demand letter to the employer threatening legal action in response to the retaliatory termination arising from the client's reasonable accommodation requests. The demand letter reminded the employer that FEHA requires employers to accommodate the religious practices of employees by exploring all reasonable means that allow an employee to observe their sincerely held religious beliefs.<sup>29</sup> After months of negotiation, our attorneys and the company came to an agreement on a favorable monetary settlement for the religious discrimination faced by the client.

Finally, as relates to incidents involving religious accommodation requests, CAIR-LA's attorneys were contacted by a community member who was hired to work for the 2020 Census Bureau. On her first day of work, the client was informed by her supervisor that she was required to remove her *hijab* to take an employment ID photo. Confused and worried by this requirement, the community member reached out to CAIR-LA where the attorneys advised her of her right under state and federal law to wear a religious head covering for the purposes of identification and during the performance of her job responsibilities. Armed with this information, the client contacted her supervisor to assert her right to wear the *hijab* at work, forcing him to apologize and concede that he would grant her the religious accommodation. In cases involving religious beliefs, CAIR-CA attorneys and legal staff have been able to obtain accommodations for workers in situations involving the wearing of religious dress, beards, and scheduling changes during *Ramadan*.



# FAITH BEHIND BARS

## BEING MUSLIM IN PRISON

### INMATES' RIGHTS ADVOCACY

28



As the COVID-19 pandemic continued, families and advocates demanded the release of vulnerable incarcerated individuals, particularly those who are elderly or ill, incarcerated for parole violations, or eligible for release under compassionate release provisions.<sup>30</sup> Documented reports of mass incarceration's impact on community spread of the coronavirus showed that across the nation, mass incarceration added more than a half million coronavirus cases in just three months, lending an urgency to calls for Governor Gavin Newsom to expedite a reduction in the prison population.<sup>31</sup> The advent of the pandemic created new barriers for Muslims in custody who sought to observe their religious practices. While individuals in administrative segregation units or solitary confinement are ordinarily excluded from regular religious services, the pandemic reduced access to prison commissaries, which is where many incarcerated Muslims purchase food items to get the proper nutrition they need throughout the month of *Ramadan* and otherwise.<sup>32</sup>

CAIR-CA regularly receives letters from incarcerated individuals regarding violations of their right to practice their religious beliefs particularly around the availability of *halal* dietary options, access to space for prayer and congregational services, as well as mistreatment by correctional staff. CAIR-CA legal staff serve the Muslim population in prisons and jails by conducting virtual and in-person visitation, working with correctional administrators on ensuring religious accommodations, and filing litigation as a response to the myriad challenges faced by community members impacted by the criminal justice system.

In one unfortunate incident, CAIR-LA attorneys were called into action when a Muslim woman was detained by the Riverside County Sheriffs' Department and deprived of her right to practice her faith in accordance with her beliefs. During her incarceration, the client's *hijab* was removed, and it was returned to her only after her hair was seen by a male deputy. Despite her requests for a cloth or blanket to cover herself, she was denied any type of alternative head covering. Moreover, for the entire duration of her custody, the client was forced to endure having her arms exposed to the view of jailers and other inmates, in violation of her religious beliefs. Additionally,

## CAIR-LA WAS ALSO ABLE TO ENSURE THAT RIVERSIDE COUNTY WOULD AMEND THEIR ACCOMMODATION POLICIES TO ENSURE THE PROVISION OF RELIGIOUS ARMS-COVERINGS TO DETAINEES UPON REQUEST



the County failed to accommodate the client during her *Ramadan* fasts and she was unable to fast during her imprisonment.

To ensure that such incidents are prevented in the future, CAIR-LA's attorneys filed a lawsuit against the County of Riverside and Riverside County Sheriff's Department in response to denial of religious accommodations for the Muslim woman while in the County's custody. CAIR-LA's lawsuit alleged that the County's actions violated the Religious Land Use and Institutionalized Persons Act ("RLUIPA") and the client's constitutional rights. After months of post-filing discovery, CAIR-LA was able to obtain a significant monetary settlement on her behalf. In a victory for the Muslim community, CAIR-LA was also able to ensure that Riverside County would amend their accommodation policies to ensure the provision of religious arms-coverings to detainees upon request, resulting in one of the most progressive county religious coverings policies nationwide.

In another case, CAIR-SV/CC attorneys were contacted in desperation by a Muslim woman who was pulled over and arrested by sheriff's deputies while driving with her minor children in the backseat. While being booked at the county jail, she was forced to remove her *hijab* in

the presence of male deputies, despite her repeated and respectful requests for privacy. During the entirety of her detention at the county jail, the client was not allowed access to her *hijab* or a replacement covering until she was released the next morning. This incident took place in apparent contravention of Tulare County's own policy requiring accommodations and respect for individuals requiring the wearing of religious head coverings such as the *hijab*. After her release from jail, the woman contacted CAIR-SV/CC's legal team for consultation and redress. The incident left both her and her children traumatized. As of this writing, our attorneys are exploring all avenues to vindicate the woman's civil rights.

Unfortunately, these cases are merely a part of a wider pattern of detention facilities and law enforcement departments repeatedly failing to have written policies regarding religious accommodations for inmates as required by California's laws.<sup>33</sup>

Another advocacy strategy that we have engaged in is working closely with prison and jail officials as well as chaplains and local religious leaders such as imams to ensure that Muslims incarcerated in their care have access to regular religious diets, prayer services and do not face retaliation for complaining of deprivations of their constitutional right to religious services.

In one such instance, CAIR-SFBA attorneys engaged in an advocacy campaign targeted at the Solano County Sheriff's Office after receiving a series of complaints from Muslim individuals currently incarcerated at their various facilities. In a letter advising Solano County Sheriff's officials of their responsibilities under RLUIPA and the First Amendment, our attorneys demanded immediate changes to the policies impacting Muslim inmates' religious accommodations. CAIR-SFBA convened regular meetings with Solano County Sheriff's officials, the County chaplain, and an Imam to ensure that there was a phasing in of *halal* meals where needed, access to religious materials such as prayer rugs and Islamic books, in addition to regular and weekly prayer services post-pandemic. By engaging with multiple community stakeholders, CAIR-SFBA was able to implement lasting change on behalf of Muslim inmates in Solano County.





# SINGLED OUT

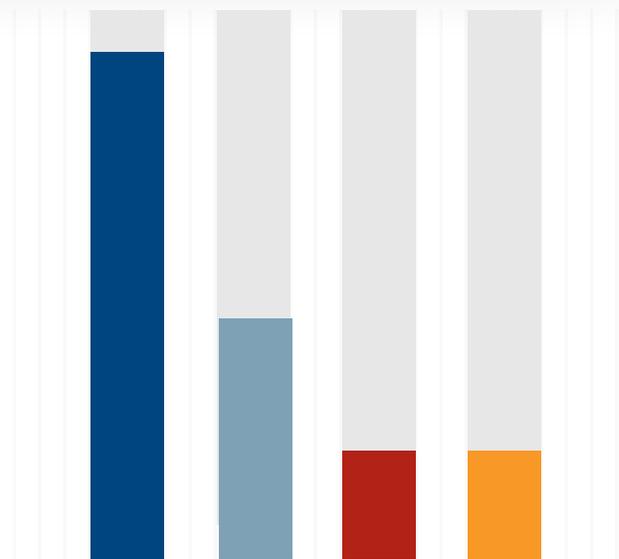
## MISTREATED AT THE NATION'S BORDERS

### FASTEN YOUR SEATBELTS

#FLYINGWHILEMUSLIM

While 2020 was a tumultuous year for travel worldwide, American Muslims were particularly hard hit by border closures and heightened scrutiny related to the COVID-19 pandemic. Our attorneys actively responded to community members by assisting individuals who faced harassment and intrusive questioning while travelling. Indeed, the profiling of Muslim travelers by CBP agents and airline employees have led to the normalization of #FlyingWhileMuslim, a hashtag that best captures the experiences of individuals traveling while being visibly or identifiably Muslim.

In an incident involving airline misconduct, CAIR-LA was contacted by a well-known and respected medical doctor who dealt with discriminatory treatment during travel to and from Los Angeles International Airport (“LAX”). The doctor, a practicing Muslim and U.S. citizen of Egyptian descent, intended to travel to perform *Umrah*, a religious



#### TRAVEL

149



■ Repatriation	115	77.2%
■ Customs & Border Protection (CBP)	20	13.4%
■ Transportation Security Administration (TSA)	7	4.7%
■ Airlines/ Transportation Discrimination	7	4.7%

## OUR CIVIL RIGHTS ATTORNEYS REACHED OUT TO THE AIRLINE COMPANY DIRECTLY TO REQUEST IMMEDIATE REDRESS FOR THE ARBITRARY AND DISCRIMINATORY ACTIONS.



pilgrimage, to Mecca, Saudi Arabia by booking two flights operated by a reputable international airline. Having confirmed both his departing and returning flights, the client encountered no security issues at LAX. However, on his international connecting flight, the airline would not honor his booking and denied him boarding without providing an explanation other than that his flight was international. The client was forced to fly through another airline but without the same issue. On his return flight home, the client was once again prevented from boarding his international connecting flight at the Frankfurt airport. This time, the client was informed that he could not board his flight because the U.S. authorities did not want him to board this flight.

Embarrassed and confused by the airline's action, the client demanded an official explanation for his mistreatment and harassment despite being a U.S. citizen with the right to return to the U.S. After being passed from one unhelpful employee to another, a supervisor eventually confessed that he was being denied boarding because he was a practicing Muslim with an Arabic name, curtly stating "you have been to Saudi too many times and your middle name is too long for the computer to recognize." Despite this admission, the supervisor made no attempts to assist the client in boarding the flight and instead directed him to another airline for assistance with his return to the U.S. With no option available to him, the client once again booked a separate return flight with another airline without being informed of any similarly contrived 'security' issues.

These incidents of harassment and public embarrassment left the client with several costly travel delays, financial losses, and undue stress. Our civil rights attorneys reached out to the airline company directly to request immediate redress for the arbitrary and discriminatory actions against the client. In a letter, CAIR-LA attorneys detailed the harassment and discrimination the client suffered and demanded a financial settlement along with immediate policy changes. The requested policy changes included

blanket prohibitions on the recurrence of similar behavior against customers based on their perceived race, national origin, and religion, as well as relevant cultural competency training for all employees. CAIR-LA was able to secure satisfactory monetary compensation for the client. Most crucially, the airline apologized for their treatment of the client and stated that they had reinforced their existing policy to ensure that their staff would not repeat this egregious mistake.

In another incident, CAIR-SFBA represented a 66-year-old American Muslim woman of Middle Eastern background and her family, who was ordered to remove her *hijab* in public after being racially profiled on a flight from Cancun, Mexico. The client, a practicing Muslim who wears *hijab* as part of her religious beliefs, was also wheelchair bound during the encounter due to a chronic hip condition. At the gate, the client and her daughter were approached by a Delta employee informing them that the airline needed to conduct additional security screening of the client, stating, "We have a profile of people we screen for international flights who don't speak English." Upon questioning why her mother was being singled out, the client's daughter was informed by another employee nearby that this was standard procedure, "TSA requires this, so complain to them in Boston. We do this all the time." No other passengers including those without English language proficiency were selected for additional security checks.

During the screening, the client suffered a panic attack and requested medical attention and water, but neither was provided. The client was also required to remove her *hijab* in public, and it lay by her feet as she continued sobbing. Meanwhile, the client's daughter was threatened with arrest by airport security guards for trying to aid her mother and attempting to record this incident. Hearing the threats to arrest her daughter, the client was further agitated and stood to unzip her pants exclaiming, "I'll take off whatever you want! I don't want my daughter in jail." The ordeal ended with the client being cleared for boarding but

without any follow up response from the airline's staff to tender an apology to check on her welfare.

CAIR-SFBA attorneys responded with a demand letter expressing concern over the behavior of the airline's employees displayed in response to the client's request for urgent medical attention as well as the discriminatory way the search was conducted. Our attorneys demanded monetary damages, a formal written apology, and revamping of the airline's passenger screening policy to ensure compliance with anti-discrimination and anti-harassment laws.

While the case ended without a satisfactory settlement due to the absence of legislation imposing civil liabilities on airline carriers for discriminatory screening, CAIR-CA continues empowering travelers to report and challenge harassment while traveling. CAIR-CA remains committed to ensuring that individuals traveling with airlines are not subject to differential treatment based on their religious beliefs and how they choose to observe their faith.

## STRANDED AND SEPARATED

### THE PANDEMIC WORSENS THE PLIGHT OF YEMENI AMERICANS

As the COVID-19 pandemic accelerated its devastating grip, governments including those in the U.S. and Yemen closed their borders catching many Yemeni Americans by surprise.<sup>34</sup> While such travel restrictions happened abruptly, the State Department launched repatriation flights safely returning at least 56,000 U.S. travelers from countries including Peru and India after considerable pressure from congressional officials and advocates such as CAIR-CA. However, Yemen was excluded from the charter flights, leaving thousands of Yemeni Americans who were visiting loved ones adrift in a situation where the ongoing civil war put them at risk of violence and the ravages of the pandemic, without access to quality healthcare.<sup>35</sup>

After hearing from community members across the state, CAIR-SFBA undertook to bring together advocates and impacted families in the aptly titled 'Bring Them Home' coalition, a nationwide collaborative effort which demanded the immediate repatriation of U.S. persons

in Yemen and was made up of key stakeholders such as Asian Americans Advancing Justice-Asian Law Caucus, Yemeni American Association of California, Yemeni Alliance Committee, and Yemeni American Merchants Association. Returning individuals stuck in Yemen without appropriate means of transportation including chartered flights was further made urgent given reports of the rapid deterioration of hospitals in Yemen causing medical personnel to flee the country or avoid working due to the high risk of infection.<sup>36</sup> In a joint letter to the State Department, the coalition demanded the scheduling of immediate guaranteed flights from Yemen and neighboring countries to the U.S. for Americans awaiting repatriation.<sup>37</sup> The coalition highlighted the need to urgently assist U.S. citizens and legal permanent residents with expiring or expired documents by processing handling of consular requests through secure online video conferencing and in-person validation by consular staff in countries where the U.S. maintains an active embassy or consulate. The coalition further requested that Secretary Mike Pompeo make available financial assistance to individuals in the form of promissory loans that can be paid back.

Among the many hundreds of cases that CAIR-CA's legal staff handled is a moving story of an individual stranded in Yemen during the COVID-19 pandemic who required an emergency medical operation that could not be performed in Yemen, because of the lack of healthcare infrastructure and hospitals being at full capacity due to the pandemic. The individual's family, based in Stockton, reached out to CAIR-SV/CC for advice and assistance in pressuring the State Department to arrange an emergency medical evacuation for their family member whose life would be in peril in the absence of immediate action. The client had been visiting family in Yemen when he suffered seizures causing cerebral hemorrhaging. CAIR-SV/CC promptly contacted the family's congressional representative, Rep. Jerry McNerney of California's 9th congressional district, and collaborated with his staff to pressure the State Department to demand the expedited repatriation of his critically ill constituent. While the State Department took its time, the family flew to Yemen where they were able to bring the family member to an airport in Cairo en route to Istanbul. Our representatives worked closely with Turkish Airlines agents to ensure that the flight from Istanbul to San Francisco went smoothly. This supportive action ensured that the family was reunited, and that the individual was able to receive life-saving treatment.





# IN PLAIN SIGHT

## ISLAMOPHOBIA IN PUBLIC ACCOMMODATION

### PUBLIC ACCOMMODATION

12



Islamophobia manifests in myriad ways that include differential treatment in public spaces, at business establishments, and even when accessing services in public transportation. CAIR-CA keeps a watchful eye for policies that impact the ability of American Muslims to lead full lives as equal citizens.

CAIR-CA's offices continued fielding complaints involving deprivations of the right to conduct business free from discrimination and of the right to access public spaces because of visible markers of religious identity, such as the *hijab*, beard or the *kufi*. In situations such as these, our attorneys advocated on behalf of affected community members by reminding private and government actors about their legal obligations, by utilizing state agencies such as the DFEH to investigate, or, when necessary, moving forward with a lawsuit.

For instance, CAIR-SFBA filed a discrimination complaint with the City of Fremont Human Rights Commission ("HRC") against payment processor Venmo, a service of PayPal, Inc., on behalf of a prominent community member, for its policy of targeting payments associated with Islam or Middle Eastern nationality or ethnicity.<sup>38</sup> In an investigation conducted by Newsweek of several dozen payments on Venmo using various terms, payments with terms like "Persian," referencing an ethnicity associated with the Muslim-majority country of Iran were flagged and singled out solely on that basis.

On the other hand, transactions mentioning "Cuba sanctions" and "North Korea food," passed through unflagged.<sup>39</sup> The digital advocacy group MPower Change also conducted and tested various transactions, finding that those mentioning Muslims or those perceived to be Muslim were flagged while other terms violating Venmo policies were not. The shocking findings revealed that terms including "KKK" and "cocaine" did not result in

## CAIR-SFBA FILED A DISCRIMINATION COMPLAINT AGAINST VENMO FOR ITS POLICY OF TARGETING PAYMENTS ASSOCIATED WITH ISLAM OR MIDDLE EASTERN NATIONALITY OR ETHNICITY.



a single flag—even though they clearly violated PayPal’s user agreements i.e., that the platform “may not be used to promote hate, violence, or illegal activity.”<sup>40</sup>

This complaint arose from reports that Arab, Middle Eastern, Muslim, and South Asian (“AMEMSA”) Fremont residents like our client, Ms. Moina Shaiq, have potentially been denied the ability to use Venmo’s mobile payment service to transfer funds for ordinary activities like donating for charitable purposes and paying friends and colleagues for meals. Ms. Shaiq sent payment to a relative through Venmo as a donation to support a Syrian refugee in Atlanta who was assisting other refugees in the area - information she briefly included in a note. Several hours later, Ms. Shaiq received an email from a Venmo representative asking about her reference to “Syria” in the memo of the transaction and requesting she provide the “purpose of this payment, including a complete and detailed explanation of what [she] intended to pay for and the establishment/location if applicable.”<sup>41</sup> Concerned that this was a precursor for singling out Muslims and those perceived as being of Arab or Syrian background, Ms. Shaiq reached out to CAIR-SFBA for assistance. Ms. Shaiq was additionally worried that being flagged for this payment could result in closure of her bank account(s), placement on federal watchlists, and denial of loans.

In response to CAIR-SFBA’s complaint, Venmo indicated that they screened certain payment activities to comply with financial sanctions lists and programs maintained by the U.S. Department of the Treasury and administered by the Treasury’s Office of Foreign Assets Control (“OFAC”). However, additional evidence of blocked transactions involving Muslims, Arabs, and South Asians revealed that Venmo’s OFAC compliance policies were overbroad and had a disparate impact on these communities. Our attorneys advocated to the HRC commissioners

that a disparate impact claim for differential treatment existed under California law - especially the Unruh Act - where a business establishment could be held liable for discriminatory actions if it acted intentionally. In response to the complaint, Fremont’s HRC issued a letter to Venmo asking for a refund of Ms. Shaiq’s donation and clarification of their policies as it relates to Muslim, Arab, and South Asian customers who are disproportionately impacted. As of this writing, Venmo has refunded Ms. Shaiq for her payment while CAIR-CA continues to represent impacted individuals and pursue creative advocacy options moving forward.

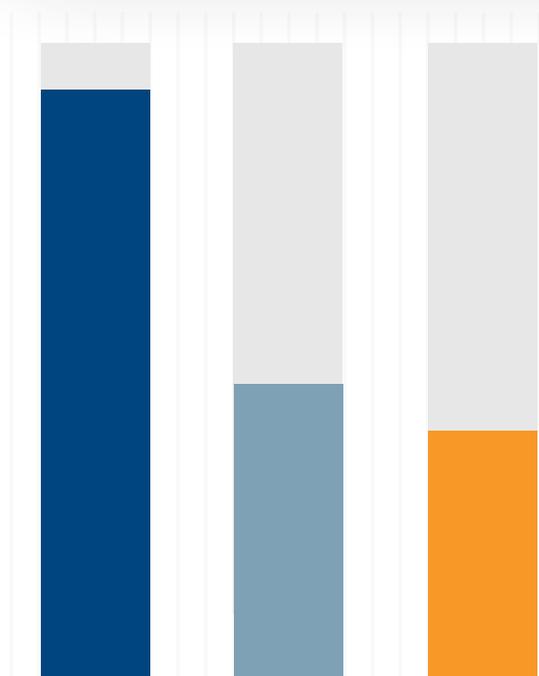
In an incident involving a refusal to provide services to a visibly Muslim woman, CAIR-LA’s civil rights attorneys stepped in to represent the individual and ensure that her rights were respected. Having gone to a local plasma facility to donate blood plasma, the Muslim woman was asked to remove her *hijab* before she would be allowed to donate. Prior to her scheduled appointment, the client complied with the facility’s requirements. When she walked into her appointment, she was asked by a staff member to remove her *hijab* for identification purposes. The client explained clearly that she wore the *hijab* for religious purposes and as such would not be removing it in public. Moreover, the identification documents she had provided showed her wearing a *hijab*. When the manager reiterated that the client needed to remove her *hijab*, she left the facility. Feeling disrespected and discriminated against, the client contacted CAIR-LA’s civil rights staff. CAIR-LA was able to come to terms with the facility for a suitable monetary settlement for the client, and moreover, they agreed to amend their policies to ensure that individuals requesting privacy and accommodations for their religious attire were able to avail themselves of their services and donate.





# SAVED BY THE BELL

## ISLAMOPHOBIA IN THE CLASSROOM



### SCHOOL K - 12 BULLYING & HARASSMENT

■ K - 12 Bullying	10	55.6%
■ K - 12 Accommodations	7	38.9%
■ K - 12 Administration/Other	1	5.5%

**18**

While 2020 was a challenging year for parents, students, and teachers alike with the COVID-19 pandemic forcing remote learning throughout nearly all school districts in California, Muslim students continued to find themselves targets of Islamophobia.

CAIR-CA's civil rights attorneys and youth advocates interacted with and assisted families concerned about peer-to-peer bullying, biased treatment by educators and administrators, Islamophobic content in curricula, and provision of religious accommodations for Muslim students. Remote learning meanwhile came with blessings such as depriving students engaged in bullying of the opportunities to pick on their targets especially given added supervision by teachers and parents/guardians during online learning opportunities. On the other hand, virtual learning also presented challenges such as allowing students with tech workarounds to engage in bullying and harassment in addition to exacerbating bullying based on social inequities and perpetuating in-group versus out-group dynamics.<sup>42</sup>

To advance the rights of Muslim students and their families, CAIR-CA urged school districts to take proactive steps to ameliorate the effects of bullying and harassment that occurred based on actual or perceived characteristics such as religion, race, and national origin. CAIR-CA did so by engaging directly with students, parents, and school administrators through legal action and anti-bullying workshops designed to ensure that state and federal laws prohibiting discrimination in schools are enforced.<sup>43</sup>

Our advocacy on behalf of impacted students is intended to hold offenders accountable for engaging in harassment and discriminatory behavior, with the goal of ensuring that Muslim youth across the state feel safe and valued in their learning environments. CAIR-CA's increased engagement is a result of our sustained advocacy with Muslim students and educators in California's K-12 schooling system as detailed in our latest biennial report entitled "Singed Out: Islamophobia in the Classroom and the Impact of Discrimination on Muslim Students."<sup>44</sup> The report found that 40% of all respondents were bullied at school for identifying or being perceived as Muslim. Disturbingly, nearly one out of three Muslim students also reported not feeling welcome or respected in school by their peers or educators because of their religious beliefs.<sup>45</sup> While there was evidence of a decline in offensive statements directed at students by school administrators, with a reported drop from 38% in 2016 to 29% in 2019, several instances proved there was a significant amount of work left to be done in eradicating Islamophobia in the classroom.<sup>46</sup>

In one incident, CAIR-SFBA's attorneys represented the family of a 9th grader at a high school in the Cotati-Rohnert Park Unified School District ("CRPUSD") who faced harassment and bullying by his classmates at school. These incidents spilled over into social media. The student was targeted specifically because of his ethnic background and religion as a Palestinian-American Muslim in a school with very few other students sharing his identity. In October 2019, he was sent a photoshopped picture on Snapchat with himself, Osama Bin Laden, and a plane crashing into the World Trade Center towers to suggest his resemblance and personal affiliation with the 9/11 attacks and ideologically motivated violence. This incident was followed by text messages threatening bodily harm. Shortly after, the student was accosted by several aggressors who came up to him intending to heckle and hurt him. This prompted other students to call campus security

## WHILE THE SCHOOL SUSPENDED SOME OF THE STUDENTS ENGAGED IN BULLYING, OTHER STUDENTS CONTINUED TO HARASS THE CLIENT BY TERMING HIM A "SNITCH" FOR INFORMING HIS PARENTS OF THESE INCIDENTS.

to intervene and protect the student. While the school suspended some of the students engaged in bullying, other students continued to harass the client by terming him a "snitch" for informing his parents of these incidents.

To smooth over the situation without involving law enforcement or further punitive disciplinary measures, the Muslim student's parents, with CAIR-SFBA's support, reached out to school administrators to suggest a presentation on Islam and anti-Muslim bullying to both dispel any stereotypes regarding the faith as well as to arm students with the tools to spot harassment and discrimination in school. The workshop that CAIR-CA and the Islamic Networks Group conducted helped prevent incidents of bullying for a few months and helped shed light on the prevalence of anti-Muslim harassment in the school.

For the next few months, the parents of the Muslim student accompanied him during lunch breaks at school to shield him from physical and verbal attacks. On a day when the client's mother was unable to be present at lunch with him, the student who had been leading the harassment approached him menacingly and began to threaten him while pretending to hit him on the back of his neck. Despite repeated attempts by the family to prevent such incidents from occurring, the school refused to take affirmative steps to prevent the harassment. Soon after, the parents requested that his classes be adjusted to reduce exposure to students who were bullying him.

Around this time, the student reported to his parents that he constantly feared for his life and well-being. A visit to his doctor confirmed that his recent mental and physical health issues including heightened anxiety, insomnia and headaches were being exacerbated by the bullying. He became increasingly withdrawn at school.

CAIR-SFBA attorneys assisted the student and his family in filing an official complaint through the Uniform Complaint Process (“UCP”) against the school for failing to take the necessary steps to prevent recurrence of the harassment faced by the Muslim student. The UCP requires local educational agencies such as schools and district offices of education to take immediate responsibility for investigating complaints and issuing findings.<sup>47</sup> CRPUSD was forced to hire an independent investigator whose findings substantiated the claims that the Muslim student had experienced multiple instances of discriminatory harassment based on his ethnicity in violation of state and federal statutes. The investigator further found that the school’s response did not comply with the requirements of the UCP by failing to inform the family of their right to file a complaint and in investigating. The investigator ordered the school to train all administrators and educators on identifying, intervening, and preventing instances of bullying especially if students are targeted based on protected characteristics like ethnic origin and religion. CAIR-SFBA has continued working with the family and the school district to ensure the fashioning of appropriate remedies.

CAIR-SFBA’s attorneys handled another incident involving the suspension of a high school student who advocated for his right to practice his faith during school. The client, an 11th grader of Yemeni origin in the Emery Unified School District (“EUSD”) was accosted by a School

Resource Officer while he was praying quietly in a corner of the school library despite having permission from his supervising teacher and the school librarian. After his prayer rug was confiscated, the young man was then sent to the Principal’s office for further discipline while the school announced that students were no longer allowed to pray during school hours. The announcement further stressed that being allowed to pray was a matter of privilege and not an absolute right that the school would adhere to. The school had previously been supportive of Muslim students praying during school hours and had assigned a school counselor to monitor and support the students.

Shortly after, the student’s family reached out to CAIR-SFBA for legal advice and a just resolution to their religious accommodation concerns. Given the sudden change in policy, Muslim students were afraid to pray at school. Upon advice from our attorneys, the student returned to school the next day where he was refused entry, given a notice of suspension, and informed by the school principal to not return. Effectively, the student was suspended from school for refusing to cooperate with the school administrators and insisting politely that he be allowed to perform prayer within suitable times. In addition, his prior requests for inter-district transfer to another high school were denied.

Our attorneys worked with school equity advocates to arrange a meeting with the EUSD superintendent, the principal, and teachers involved in these incidents to resolve this concerning situation. CAIR-SFBA demanded the immediate revocation of the suspension order by EUSD so the student could return to his studies. Our attorneys further explained the unconstitutionality of public schools restricting individuals of a particular faith from practicing their religion in violation of the

**THE SCHOOL DISTRICT WAS FORCED TO HIRE AN INDEPENDENT INVESTIGATOR WHOSE FINDINGS SUBSTANTIATED THE CLAIMS THAT THE MUSLIM STUDENT EXPERIENCED MULTIPLE INSTANCES OF DISCRIMINATORY HARASSMENT BASED ON HIS ETHNICITY IN VIOLATION OF STATE AND FEDERAL STATUTES.**



First Amendment and the need to have reasonable accommodations in place for Muslim students who choose to pray when school is in session. At the conclusion of the meeting, EUSD officials agreed to overturn the suspension to expunge the incident from his record. The school further agreed to amend their formal religious accommodation policies, which was to be stated prominently on EUSD’s website for future reference and used by educators, parents, and students alike. Additionally, EUSD agreed to have CAIR-SFBA as well as Oakland Unified School District’s Office of Equity establish a series of staff trainings on Islamophobia and implicit bias towards immigrant students of color to better support the district’s AMEMSA students.

In another incident, CAIR-LA attorneys were contacted by a group of teachers who were planning to conduct training courses on Islam and the Middle East in Los Angeles and Orange County when they ran into obstacles with the Los Angeles Unified School District (“LAUSD”). The course was designed to train teaching staff on issues important to AMEMSA communities, including topics like human rights for Palestinians. This caught the attention of pro-Zionist groups, who sought to have the course banned. When the group of teachers applied for a new contract with LAUSD, they were approved by the joint committee of the school district and the teacher’s union but were blocked from final approval by the human resources department citing “safety concerns.” Working closely with the teacher’s group and other advocates, CAIR-LA ensured that the course was taught even if only online, pre-COVID-19 pandemic, and that constant pressure was applied on LAUSD’s Board of Trustees to grant the course full accreditation. As a result of this advocacy and a change in the leadership at LAUSD, the course was approved.

To supplement the direct legal services and representation provided to the community, CAIR-CA launched an educational campaign on the anniversary of the tragic events of September 11, 2001 (“9/11”) aimed at encouraging educators to use the occasion to solemnly promote diversity, inclusivity, and mutual understanding in the classroom without furthering the marginalization of Muslim students.<sup>48</sup> In a letter addressed to educators, CAIR-CA recommended that school administrators, district boards, and educational non-profits address the

Islamophobia engendered by the events of 9/11 through a continuous, honest reckoning with explicit and implicit biases in the classroom and in the wider world.

Among the recommendations offered by CAIR-CA to educators were the following best practices:

- 1 Being mindful of religious diversity in the classroom and not referring to perpetrators using language that singles out Islam
- 2 Using instructional materials – photos, videos, audio – that are not aimed at inciting emotions and instead clearly meet lesson objectives and goals;
- 3 Avoiding stating personal beliefs about 9/11 as facts;
- 4 Remaining sensitive to the vulnerability of students with trauma in their lives; and
- 5 Refraining from having students engage in educational activities that simulate the roles of perpetrators, targets, and bystanders.

The letter and the campaign, directed at hundreds of school districts across California, was met with great interest from district staff who have invited CAIR-CA to work closely with them in training educators and revising school curricula, where appropriate.



A CAIR-SFBA VOLUNTEER DISPLAYS A SIGN IN URDU ASKING PEOPLE TO VOTE IN THE 2020 ELECTIONS.



# CAMPUS LIFE

## BEING MUSLIM IN COLLEGE

### HIGHER EDUCATION. ACCOMMODATIONS AND DISCRIMINATION

19



**M**uslim students on college campuses across California find themselves struggling at times to practice their faith in relative safety with access to accommodations that foster a healthy and productive academic environment. A bellwether of a healthy democracy is if college and university campuses provide genuine spaces for individuals and communities to come together in learning and expressing themselves freely regardless of national origin, ethnicity, religious belief, and immigration status.

To better understand the most prominent issues facing students in colleges and universities, CAIR-CA released its first ever report analyzing American Muslim college and university students, titled “Campus Climate Report 2019-2020”, which surveyed students at over 60 institutions of higher learning throughout the state of California, including public and private universities and colleges.<sup>49</sup> The report’s stated purpose was to examine the experiences of Muslim college students and the issues they

face, particularly due to their real or perceived Muslim identities.

Among the key findings of the report was that Muslim students who expressed their faith visibly i.e., through religious or cultural appearance experienced significant levels of harassment and discrimination based on their identity with Muslim students generally reporting high levels of discomfort expressing their political opinions.<sup>50</sup> Of note, nearly 48% of Muslim students reported feeling unwelcome to express themselves when engaged in political advocacy on campus. Even more troubling, nearly one half of respondents were subjected to bigoted comments about Islam and Muslim from their peers, while one out of three respondents reported that such bigoted comments were directed at them by their professors or instructors.<sup>51</sup> Student respondents were also at pains to point out that the representation of Islam in their class materials or by their professors often bordered on Islamophobic.

Disappointingly, the survey findings strongly hint at systemic indifference and inaction by college administrators in responding to documented incidents of harassment and discrimination towards Muslim

## CAIR-LA ISSUED A PUBLIC LETTER TO PRESIDENT FOLT’S OFFICE CAUTIONING THE ADMINISTRATION OF SILENCING INDIVIDUALS OR GROUPS WHO VOICE OPPOSITION TO ISRAEL’S DISCRIMINATORY APARTHEID PRACTICES AGAINST PALESTINIAN COMMUNITIES.



students. For example, an astounding 74.7% of Muslim students reported that school administrators failed to make statements, accommodations, or otherwise address the effects of significant policy issues impacting their community, such as the Muslim Ban.<sup>52</sup>

CAIR-LA’s civil rights team was approached by concerned students at the University of Southern California (“USC”) in late 2020 after a student leader resigned from office claiming she was the target of anti-Semitic attacks stemming from her support for Zionism. In response, USC President Carol Folt sent a letter to the campus wide community conflating criticism of Israel and Zionism with anti-Semitism.<sup>53</sup> This false conflation was also unfortunate given that a group of Muslim Student Union (“MSU”) students were subjected to ongoing online harassment and defamation by pro-Israel organizations who criticized MSU members’ political activism against Zionism and Israeli human rights abuses.

Concerned by this attempt at muzzling freedom of expression and the increasingly unsafe campus environment for Muslim students at USC, CAIR-LA worked alongside its allies and issued a public letter to President Folt’s office cautioning the administration of silencing individuals or campus groups who voice opposition to Israel’s discriminatory apartheid practices against Palestinian communities and support the right to dignity and self-determination for all Palestinians.<sup>54</sup> The letter further demanded that the USC administration drop the Anti-Defamation League (“ADL”) – a noted proponent of Islamophobia, anti-Black and anti-Palestinian racism historically – from its proposed “Becoming Stronger than Hate” series. This demand was made especially in light of an exposé revealing the ADL’s role in condemning the Movement for Black Lives, pro-Palestinian advocacy, and Congresswoman Ilhan Omar and the organization’s support of racist policing, surveillance, colonialism, and silencing of social justice activism.<sup>55</sup> CAIR-LA continues

to be engaged with members of USC’s administration to address attacks on Muslim and Palestinian students’ rights to free speech and their marginalization on campus.

In another instance, CAIR-SFBA worked alongside partners such as Palestine Legal, Jewish Voice for Peace, and the US Campaign for Palestinian Rights to pressure the University of California, Berkeley (“UCB”) and its administration, particularly Chancellor Carol Christ, to address the recurring harassment and suppression of Palestinian and Muslim students and their allies on campus.<sup>56</sup> In a letter addressed to Chancellor Christ, CAIR-CA denounced the series of physical and verbal attacks on Palestinian and Muslim students that occurred on or near UCB’s campus in the aftermath of a public campaign by a student senator to censor and malign a photo display of Palestinian female political figures belonging to the student group Bears for Palestine (“BFP”).<sup>57</sup> The Associated Students of the University of California (“ASUC”) senator also tried to intimidate a Palestinian student who opposed the censorship efforts by threatening to add her to the Israel-aligned blacklisting site Canary Mission.

After the censorship resolution was voted down at an ASUC meeting in February, an anonymous student took to the floor during public comment to announce his plans to join the Israeli military to kill Palestinians, saying, “I plan, after I graduate, on joining the Israel Defense Forces to eliminate Palestinian nationalism and Palestinians from the world.” After making the statement, the student suddenly fled the room, leaving other students worried for their physical safety. This threat proved to be the beginning of constant harassment that Palestinian students and other allies faced. As an example, one Palestinian student who spoke during public comment reported being spit on while giving a campus-wide tour and was cautioned by friends against walking on campus alone in the wake of the threats. Another student, who identified

as Black and Muslim, was accosted by a sympathizer of the anti-Palestinian censorship resolution who termed him a “terrorist sympathizer” and was later followed when he attempted to go to mosque on a Friday.

Overall, numerous students reported fearing for their safety and going out of their way to establish impromptu systems to protect each other, including creating escort systems, taking time and energy that would have been better spent devoted to their studies. CAIR-SFBA and its allies worked with impacted and targeted students who devoted countless hours in the aftermath of the censorship campaign to meeting with administrators. During these meetings, students explained the way the repression had disrupted their education and described the support they needed from administrators. CAIR-SFBA continues working with student groups such as BFP in holding UCB accountable for ensuring institutional representation of Palestinian and Muslim students, mandating training on Islamophobia for students and staff, and public condemnation of the Canary Mission blacklist as a threat to student safety, freedom of speech, and academic freedom.

In another incident involving academic curricula, CAIR-LA was contacted by a community member about an Islamophobic course being taught at California State University San Bernardino’s (“CSUSB”) satellite Palm Desert campus through a third-party organization called the Osher Lifelong Learning Institute (“OLLI”). The course, titled “History of Islam: Mohammed to ISIS,” was taught by a Mr. Edward Kodinsky on the university’s campus through OLLI. According to his biography, Mr. Kodinsky earned degrees in the State Scientific and

Research Institute of Metal Processing and possessed no academic background in history, Islam, or the Middle East.<sup>58</sup>

In a slideshow from one of his lectures, Mr. Kodinsky claimed that Arabs are not moral people and that ‘lying and cheating’ are commonplace among Arabs because Arabs are all about ‘exploiting possibilities.’ Moreover, the class material portrayed the Prophet Muhammad as a militant man who founded a religion of violence where peace was made with communities as a strategic move to accomplish world domination. CAIR-LA, in a letter, immediately demanded the cancellation of the remaining classes in the course as well as a public apology.<sup>59</sup>

In response to the pressure, CSUSB was forced to suspend the course and the instructor permanently while also pledging that such Islamophobic content would not be offered in the future. CSUSB also implemented new policies to review third-party courses taught on its campuses to prevent approval of Islamophobic courses and instructors by mandating reviews firstly by the Dean of the Palm Desert Campus and ensuring a second round of review for courses that purport to be academic. The second-round review of academic courses will be conducted with the Dean in consultation with the appropriate Department Chair to make sure it meets academic standards.

CAIR-CA is committed to ensuring that academic discourse and university curricula across California do not veer into Islamophobia and the tarnishing of Islam as an intolerant, anti-Semitic, predatory and expansionist faith.

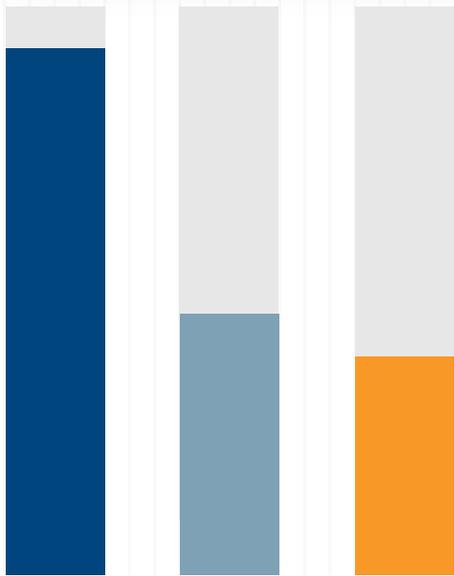
**MOREOVER, THE CLASS MATERIAL PORTRAYED THE PROPHET MUHAMMAD AS A MILITANT MAN WHO FOUNDED A RELIGION OF VIOLENCE WHERE PEACE WAS MADE WITH COMMUNITIES AS A STRATEGIC MOVE TO ACCOMPLISH WORLD DOMINATION. CAIR-LA, IN A LETTER, IMMEDIATELY DEMANDED THE CANCELLATION OF THE REMAINING CLASSES IN THE COURSE AS WELL AS A PUBLIC APOLOGY.**





# IN SOLIDARITY

## LEGAL AID DURING THE COVID-19 PANDEMIC



**COVID-19 RELATED**

**59** 

- Unemployment Benefits Assistance **45** 76.3%
- Stimulus Payments Assistance **8** 13.6%
- Tenants' Protection & Eviction Defense **6** 10.1%

As the COVID-19 pandemic flattened social life and upended livelihoods, CAIR-CA's team heard from community members concerned about the historic levels of unemployment and the specter of housing evictions.

In keeping with our grassroots focus, CAIR-CA's staff responded to the community's rapidly evolving needs by expanding our legal assistance to cover issues such as unemployment benefits, stimulus payments, as well as housing and eviction defense. CAIR-CA's expanded legal services statewide focused on advising individuals facing unemployment and underemployment, on their eligibility for Unemployment Insurance ("UI") benefits as well as the expanded Pandemic Unemployment Assistance. For many, it was their first time applying to these types of programs.

In one such example, CAIR-SFBA assisted a community member who had served as an early childhood education teacher for over twenty years in various roles who found herself out of a job as the pandemic shuttered schools.



COMMUNITY MEMBERS BROWSE LEGAL PUBLICATIONS AND COVID-19 EDUCATION PAMPHLETS PROVIDED DURING CAIR-SV/CC'S OUTREACH EFFORTS.

Having never applied for UI benefits before, the client reached out to CAIR-SFBA to assess her eligibility for the unemployment benefits and the information she needed to provide to California's Employment Development Department ("EDD"), the state agency responsible for issuing unemployment and related benefits. CAIR-SFBA worked closely with the client to submit her UI application and ensured that she successfully received the bi-weekly payments so she could cover her monthly expenses and shelter in place safely at home to during the pandemic.

In addition, CAIR-CA attorneys educated community members on the finer points of the numerous eviction moratoriums in place throughout California's fifty-

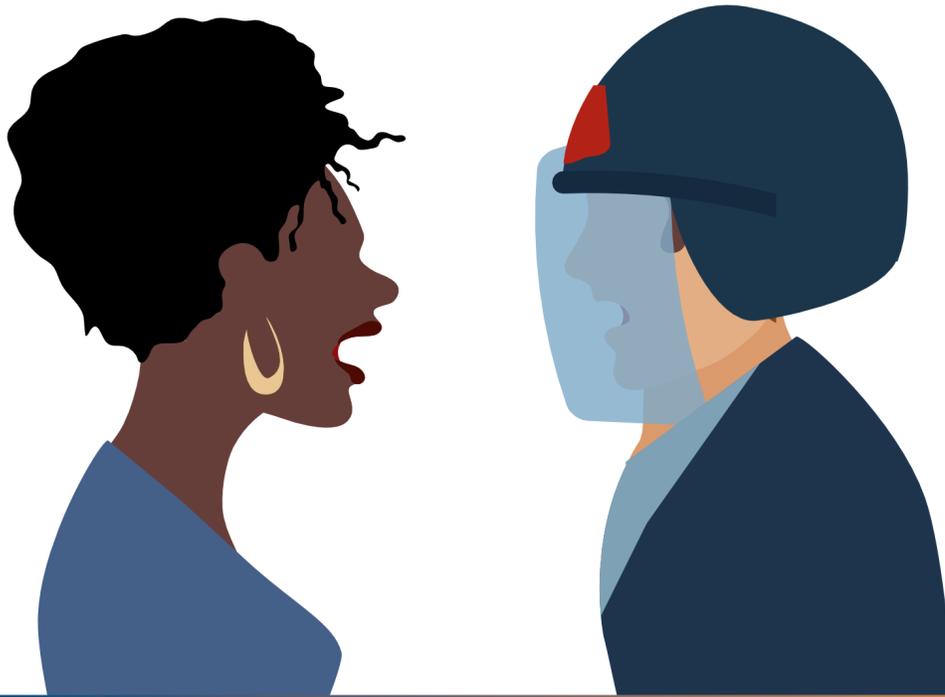
eight counties.<sup>60</sup> Finally, CAIR-CA advised individuals concerned about receiving stimulus payments of their status and eligibility for the funds, especially as undocumented communities were left out of the accounting.<sup>61</sup>

Joining forces, CAIR SV/CC and the Center for Workers' Rights ("CWR"), pioneered and operated a full-time multilingual Workers Helpline, assisting callers with questions around eligibility for unemployment insurance and related issues. We worked closely with CWR's attorneys, who are experts in unemployment insurance, to provide language access to individuals who have limited English proficiency. The Workers Helpline continues to be crucial in assisting individuals facing allegations of false statements and overpayments by EDD as well as providing legal advice and representation before the California Unemployment Insurance Appeals Board in cases of benefits denials. Our partnership with CWR ensured that our community's voices were heard at administrative agencies, in courts, and in the California legislature.

Moreover, working in coalition with broader partners, CAIR-CA provided ongoing know your rights trainings to increase accessibility for all vulnerable communities and improve EDD's policies. Indeed, given the reality that nearly 4.6 million individuals in California filed claims with EDD, a record number, CAIR-CA and CWR worked hard to push the agency to ensure families continued receiving payments particularly as certification requirements prevented nearly one million workers from receiving benefits.<sup>62</sup> As a result of these efforts EDD is now required to provide non-machine translation for all benefits programs, vital documents, and notices, as well as individual communications to UI claimants.

**CAIR-SFBA WORKED CLOSELY WITH THE CLIENT TO SUBMIT HER UNEMPLOYMENT INSURANCE APPLICATION AND ENSURED THAT SHE SUCCESSFULLY RECEIVED THE BI-WEEKLY PAYMENTS SO SHE COULD COVER HER MONTHLY EXPENSES AND SHELTER IN PLACE SAFELY AT HOME TO DURING THE PANDEMIC.**





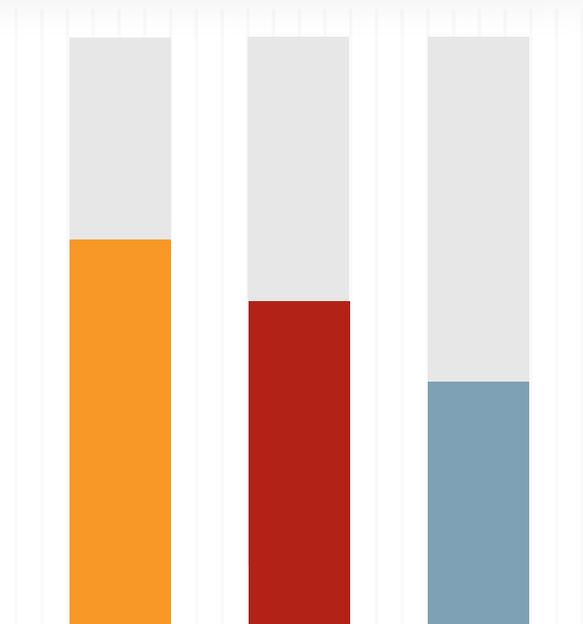
# REIMAGINING SAFETY

## LAW ENFORCEMENT HARASSMENT & SURVEILLANCE

**T**his past year forced a global reckoning of widely held norms of policing and community safety especially as they relate to Black, Brown, immigrant, and working-class communities who often endure the worst of the state’s surveillance and incarceration capabilities.

Large numbers of people braved the pandemic to engage in protests in the wake of the killings of Ahmaud Arbery, Breonna Taylor, George Floyd, and numerous Black individuals by law enforcement across the nation. In response, the Department of Justice announced that the Federal Bureau of Investigation’s (“FBI”) Joint Terrorism Task Forces (“JTTF”) would be activated to target and criminalize protestors. While the First Amendment guarantees the right to protest and assemble peaceably, the FBI has a history of surveilling communities fighting against injustice.

In 2020, CAIR-CA received a total of 97 complaints from community members involving law enforcement interactions that amounted to harassment and profiling.



### LAW ENFORCEMENT HARASSMENT

**97**



■ State & Local Law Enforcement	<b>40</b>	41.3%
■ FBI Voluntary Questioning	<b>35</b>	36.1%
■ General Concerns	<b>22</b>	22.6%



CAIR-SFBA EXECUTIVE DIRECTOR, ZAHRA BILLOO, SPEAKS AT A RALLY IN THE WAKE OF POLICE VIOLENCE.

Discriminatory policing strategies have necessitated CAIR-CA attorneys represent hundreds of community members over the years, to ensure that the Fifth Amendment’s right to remain silent is always asserted.

Since 2007, Oakland Police Department (“OPD”) officers participating in the JTTF have had the same powers as FBI agents, allowing them to surveil and harass community members without probable cause as well as to target people who identify as members of AMEMSA communities or are dealing with mental health and family issues. ICE is also a prominent member of the JTTF.

In 2017, Oakland passed a transparency ordinance entitled “Ordinance for Transparency for City Participation with Federal Surveillance Activities” requiring OPD to submit to local control and to provide annual reports to the City Council on their JTTF activities.<sup>63</sup> However, OPD consistently violated the transparency ordinance and failed to submit reports to the City Council for oversight on their activities. CAIR-SFBA, partner organizations, and community members reminded the City Council of the promises made by then-U.S. Attorney General Bill Barr to investigate “criminal organizers and instigators”

of violence during police brutality protests as domestic terrorists, raising concerns that peaceful protestors would be harassed and potentially arrested.

Along the same lines, CAIR-SFBA worked with partners including AAAJ-ALC and Yemeni Alliance Committee to ensure that local law enforcement officers participating in the JTTFs follow stricter local rules requiring reasonable suspicion and probable cause for investigations and searches. In a notable victory, the coalition succeeded in urging the Oakland City Council to terminate the OPD’s relationship with the JTTF by highlighting the FBI’s abysmal record of targeting vulnerable communities.<sup>64</sup> In their advocacy, CAIR-SFBA and allies reminded the City Council that AMEMSA communities had been subjected to pervasive discrimination and surveillance by the federal government based on their religion or national origin since September 11, 2001. Finally, ICE’s participation in the task force was highlighted as another strong reason to withdraw from the partnership.<sup>65</sup>

While CAIR-CA applauds the Oakland City Council’s decision to end this partnership, we remain vigilant to the challenges that are posed by such partnerships. To supplement local organizing on issues of law enforcement overreach, CAIR-CA worked closely with Assembly member Rob Bonta and partners such as AAAJ-ALC and Secure Justice in introducing a statewide bill, AB 2598, the “Safe California Civil Rights Act” (“Safe CA Civil Rights Act”). The Safe CA Civil Rights Act would have required all California law enforcement agencies to always follow state and local laws and policies and create transparency and oversight measures for state and local agencies participating in the JTTF.<sup>66</sup> As of publication, owing to budget shortfalls due to the pandemic, the bill was scrapped yet it sets the standard for future legislation that aims to curb law enforcement overreach and surveillance.

CAIR-CA’s continued advocacy over the past few years also led to California legislators rejecting state funding for Preventing Violent Extremism (“PVE”), a grant program piloted by California Governor’s Office of Emergency Services (“Cal OES”) which distributed funds to nonprofits across the state to engage in surveillance and rehabilitation work. In signing the state’s 2020-21 budget bills, California Governor Gavin Newsom was pressured into steering away from further funding PVE, a series of



**IN A NOTABLE VICTORY, THE COALITION SUCCEEDED IN URGING THE OAKLAND CITY COUNCIL TO TERMINATE THE OPD’S RELATIONSHIP WITH THE JTTF BY HIGHLIGHTING THE FBI’S ABYSMAL RECORD OF TARGETING VULNERABLE COMMUNITIES ... SUBJECTED TO PERVASIVE DISCRIMINATION AND SURVEILLANCE BY THE FEDERAL GOVERNMENT BASED ON THEIR RELIGION OR NATIONAL ORIGIN SINCE SEPTEMBER 11, 2001.**

harmful and unwarranted surveillance and criminalization programs targeting Muslim, Black, and immigrant communities across the state.<sup>67</sup>

PVE appeared to be a repackaged version of the notorious federal Countering Violent Extremism (“CVE”) framework, as it was funded directly from DHS’ Federal Emergency Management Agency (“FEMA”).<sup>68</sup> Under the CVE framework, schools, universities, non-profits, and police departments such as the FBI and the National Counterterrorism Center relied on terrorism indicia as innocent as “travel to a Muslim country,” “frequent attendance at a mosque or prayer group,” “concerns about anti-Muslim discrimination,” and “perceived economic stress.”<sup>69</sup> These indicators often fall within the purview of rights protected by the First Amendment yet often form the basis for surveillance programs like CVE and PVE.

In a Public Records Act (“PRA”) request filed by the NoPVEinCA coalition, documents reviewed identified that Cal OES issued multiple grants including to nonprofit organizations to conduct trainings with educators and counselors to understand and recognize extremist ideologies – a thinly veiled Islamophobic attempt to surveil California’s sizeable Muslim community.

CAIR-CA staff also increased their participation in police and sheriff sensitivity trainings with CAIR-LA utilizing the opportunity to speak with several cohorts of graduating

officers from the Orange County Sheriff’s Training Academy. These trainings were an important opportunity to educate newly minted officers about the basic tenets of Islam and to dispel stereotypes around Muslims. CAIR-LA also stressed the importance of accurately documenting hate crimes and incidents so that they can be properly prosecuted.

In a public forum on police reform planned by the Board of Police Commissioners Advisory Committee, CAIR-LA’s civil rights department made the following recommendations:

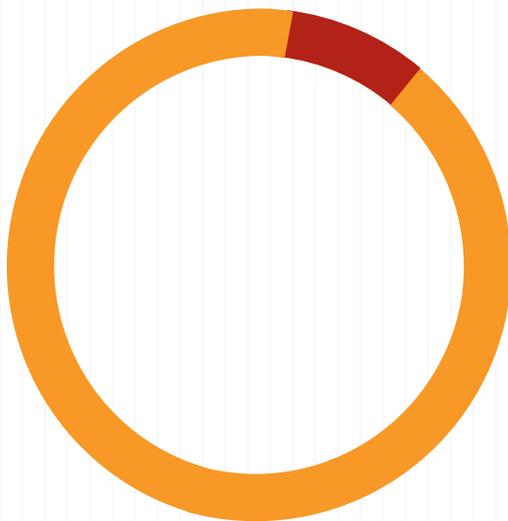
- 1** Training officers on the history of racism in America as well as engaging and dealing with Muslim communities;
- 2** Reporting policies and procedures when dealing with hate crimes;
- 3** Implementing specific policies and practices in dealing with the religious practices of the Muslim community;
- 4** Addressing the history of over-policing and surveillance of Black and Brown communities especially pertaining to the excessive use of force; and
- 5** Overhauling the training concerning protestors and the excessive use of force.





# DREAM DEFERRED

## HATE IN AMERICA



### HATE INCIDENTS & HATE CRIMES

**52**



- Hate Incidents 46 88.5%
- Hate Crimes 6 11.5%

In 2020, the nation’s most vulnerable communities, particularly those of color and immigrants, found themselves targeted in the wake of a global pandemic and a bitterly disputed national election.

President Trump repeatedly blamed Asian-American communities for the pandemic, causing reportedly more than 2,120 anti-Asian American hate incidents across the nation in a three-month time span between March and June of 2020, which included physical attacks, verbal assaults, workplace discrimination, and online harassment.<sup>70</sup> The Asian Pacific Policy and Planning Council and Chinese for Affirmative Action documented that about 40% of the reported incidents occurred in California.<sup>71</sup>

CAIR-CA continued speaking against hate driven by an understanding that no community is safe when others are under attack. In early February 2020, CAIR-SFBA denounced an attack on an elderly Asian-American man

## CAIR-LA WAS ABLE TO COMPEL MANAGEMENT TO EVICT THE OFFENDING NEIGHBOR WITH CAUSE, THEREBY ALLOWING THE FAMILY TO FIND THE RESPITE THEY NEEDED.



in San Francisco who was attacked near a public housing complex with a tool he had been using to collect cans in the neighborhood.<sup>72</sup> CAIR-SFBA urged the San Francisco Police Department to investigate this incident as being motivated by racial bias.<sup>73</sup> Later during the year, the Asian American community in the Bay Area was shocked by two egregious attacks. The first involved an assailant who yelled at a woman for allegedly not practicing social distancing and asked her, “Why doesn’t she go back to where she came from” and the second involved several Vietnamese-owned businesses whose windows were smashed in San Jose.<sup>74 75</sup>

American Muslims also found themselves targets of violent acts by private actors. CAIR-CA’s offices received over 50 reports of hate incidents in the form of vandalized mosques and community centers, threatening phone calls and letters, profiling in public spaces, and violence against community members. CAIR-CA’s offices worked closely with the complainants to call for proper investigation by law enforcement, and prosecution where necessary. To achieve this, CAIR-CA used media advocacy, reviewed public documents and court records, and followed up with law enforcement to ensure investigations were being seriously handled and that a hate crime enhancement is charged where appropriate.

While CAIR-CA does not advocate generally for punitive remedies such as increased prison time as a response to bias-motivated violence, it has advocated to designate these acts as potential hate crimes to raise awareness of the serious consequences of normalizing white supremacy

and bigotry, as well as the need for systemic solutions. In addition to these efforts, CAIR-CA worked for redress for victims and advocated for restorative justice options and broader community education, such as the facilitation of Bystander Intervention Training workshops. The trainings used sample scenarios and de-escalation intervention methods to prepare participants to be active responders when witnessing incidents of harassment and hate.

In one prominent example, an advocate helping resettle refugees in Los Angeles County reached out to CAIR-LA to inform them of a Muslim refugee family who were being harassed by their neighbor at a residential apartment complex. The neighbor often spewed Islamophobic insults and profanities when he encountered the community member and his family leading them to fear for their safety. When the neighbor threatened the family by brandishing a gun in front of them, law enforcement was alerted but no concrete action was taken to protect the family. Our attorneys stepped in to ensure that the matter was promptly addressed by the property management company responsible for the apartment complex. After outlining the violations of various anti-discrimination statutes around housing, CAIR-LA was able to compel management to evict the offending neighbor with cause, thereby allowing the family to find the respite they needed.



CAIR-SFBA STAFF AT AN ANTI-HATE RALLY IN SAN JOSE, CA



# RECOMMENDATIONS



To advance the civil rights of all communities, CAIR-CA urges reaching out to our legal teams for assistance and representation. Considering the nature of complaints our offices received in 2020, CAIR-CA's legal staff make the following recommendations:

## INDIVIDUALS



- 1** In every instance, CAIR-CA recommends documenting evidence of discrimination, harassment, and instances of anti-Muslim bigotry so that legal remedies and advocacy strategies can best bring about a redress of civil rights violations.
- 2** Individuals dealing with immigration issues, such as naturalization, adjustment of status, relative petitions, asylum, and removal defense should challenge them using legal assistance and by contacting their local elected officials
- 3** Individuals who are currently incarcerated should report denials of religious services and accommodations as well as retaliation by prison officials should document any discriminatory incidents through the appropriate prison grievance procedures
- 4** Students should immediately report bullying and harassment to parents, teachers, and school administrators
- 5** Students who require religious accommodations for clothing, food, or time off, should contact teachers and school administration of their need to do so, in alignment with local or state laws
- 6** Students who face instances of discrimination and violations of first amendment rights on college and university campuses should document and report these instances to college administrators and consider consulting attorneys, where applicable
- 7** When confronted by FBI/law enforcement agents, assert your right to remain silent and right to legal counsel
- 8** Assert your rights when you are traveling, if approached by the FBI, CBP, or TSA for voluntary questioning, and/or when subject to enhanced questioning and screening procedures while traveling
- 9** If you or a loved one have been a witness to, or targeted by, a hate crime or incident, please report it to your local police department for documentation and support purposes
- 10** Employees facing harassment and discrimination based on protected characteristics such as religion and ethnicity should immediately contact their supervisors or human resources department and report such behavior, preferably via e-mail to maintain written records.

## ELECTED OFFICIALS



- 1 Local and state officials should work to end surveillance programs and policing strategies that target communities of color such as CVE and FBI's JTTF partnerships.
- 2 Community organizations, municipalities, and local law enforcement agencies should cease all partnerships with federal law enforcement agencies, such as the FBI, DHS, ICE and CBP, that are involved in mass surveillance and information gathering of vulnerable communities.
- 3 Congress should pass the no ban act which would essentially limit present and succeeding executive branches from abusing the immigration and nationality act to enact the Muslim ban among other discriminatory policies.
- 4 Congress should pass the U.S. Citizenship act of 2021 that would provide a new pathway to citizenship for millions of undocumented immigrants as well as removing several roadblocks for employment-based immigrants in obtaining visas and permanent residency.

## EMPLOYERS



- 1 Employers should prioritize creating equitable workplaces by ensuring non-discrimination policies are enacted. Further, employers should take swift and decisive action against employees who engage in discriminatory or harassing behavior against their co-workers.
- 2 Employers should institute microaggression and other anti-bias trainings are facilitated to promote a culture of continued learning.
- 3 Employers should create accountability mechanisms to ensure that employees are empowered to address systemic issues through collaboration and open dialogue.

## INSTITUTIONS



- 1 Prisons should ensure that inmates of all faiths receive personal items and access to facilities necessary to freely practice their religious beliefs, as provided by various state and local laws.
- 2 Schools should implement robust anti-bullying and harassment policies including transparent complaint procedures. Schools should also institute regular training modules for teachers and administrators around how to provide culturally competent education and respond to bullying competently.
- 3 Colleges and universities should ensure that vulnerable students from targeted communities feel safe by supporting their right to political expression and offering security for those experiencing harassment and physical assault.

# THANK YOU

CAIR-CA would like to thank the following individuals and organizations, who have been instrumental to the success of our civil rights work and who continue to contribute to the advancement of civil rights for all Americans.

Abrahamic Faiths Peacemaking Initiative  
ACCESS California Services and ACCESS Sacramento  
Alliance San Diego  
American-Arab Anti-Discrimination Committee  
American Civil Liberties Union  
American Muslim Voice  
Arab Culture and Community Center  
Arab Film Festival  
Arab Resource and Organizing Center  
Arnold & Porter Kaye Schooler LLP  
Asian Americans Advancing Justice-Asian Law Caucus  
Asian Americans Advancing Justice-Los Angeles  
Asian American Bar Association  
Bay Area Association of Muslim Lawyers  
Brennan Center for Justice  
Buchalter Nemer  
California Council of Churches/California Church IMPACT  
California Immigration Policy Center  
California Sikh Council

Carpenter & Mayfield  
Catholic Legal Immigration Network, Inc.  
Center for Constitutional Rights  
Center for Workers' Rights  
Church State Council  
Clergy and Laity United for Economic Justice  
Coalition for Humane Immigrant Rights Los Angeles  
Courage Campaign  
Defending Rights & Dissent  
Immigrant Youth Coalition  
Indivisible  
Interfaith Communities United for Justice and Peace  
Interfaith Worker Justice  
Iranian American Bar Association  
Islamic Circle of North America  
Islamic Shura Council of Southern California  
Jakara Movement  
Japanese American Citizens League  
Jewish Voice for Peace  
Karama

Kizuna	Palestine Legal
LA Jews for Peace	Pangea Legal Services
Lane Powell PC	Pars Equality Center
Lawyers' Committee for Civil Rights	Policy Link
League of United Latin American Citizens	Program for Torture Victims
Legal Aid Foundation of Los Angeles	Progressive Christians Uniting
Legal Aid at Work	Project Islamic Hope
Los Amigos of Orange County	San Francisco Human Rights Commission
MPower Change	Sacramento Area Congregations Together
Muslim American Society	Sacramento Immigration Coalition
Muslim Anti-Racism Collaborative	Sacramento FUEL Network (Family Unity, Education, and Legal Network)
Muslim Leadership Council of San Diego	Services, Immigrant Rights & Education Network
Muslim Legal Fund of America	SEIU Local 1000
Muslim Student Association West	Sikh American Legal Defense and Education Fund
National Association for the Advancement of Colored People	South Asian Bar Association of North America
National Immigration Law Center	South Asian Bar Association of Northern California
National Lawyers Guild	South Asian Network
National Religious Campaign Against Torture	Stand with Kashmir
Nikkei for Civil Rights and Redress	The Sikh Coalition
North American Islamic Shelter for the Abused	United Sikhs
Northern California Islamic Council	Walkup, Melodia, Kelly & Schoenberger
NorCal Resist	Western Justice Center Foundation
Orange County API Community Alliance	Women For: Orange County
Orange County Bar Association Charitable Fund	Yemeni Alliance Committee
Orange County Congregation Community Organization	Yemeni American Association of California

# GLOSSARY

## MUSLIM TERMS

### EID

Two major religious celebrations, *Eid al Fitr* and *Eid al Adha*, commemorating momentous events in the Islamic year.

### HIJAB

Arabic for “barrier” or “partition,” often used to refer to the headscarf worn by some Muslim women as part of their Islamic beliefs.

### ISLAM

Commonly translated as “peace through God’s guidance,” the proper name for Muslims’ religion.

### ISLAMOPHOBIA

Fear or hatred of Islam and Muslims; a phenomenon which promotes and perpetuates anti-Muslim stereotyping, discrimination, harassment and even violence, negatively impacting the participation of American Muslims in public life.

### JUM’UAH

Friday prayer, required for those who are physically able to attend.

### KUFI

A skull cap worn by some Muslim boys and men to cover their head as part of their Islamic beliefs.

### MUSLIM

Follower of Islam.

### NIQAB

A veil for covering the hair and face except the eyes that is worn by some Muslim women as part of their Islamic beliefs.

## COMMON LAWS & LEGAL ENTITIES

### 1<sup>ST</sup> AMENDMENT

Part of the United States Constitution’s Bill of Rights, the First Amendment provides that the government cannot interfere with a person’s freedom of speech, freedom of expression, or freedom to peacefully practice his or her religious beliefs.

#### **4<sup>TH</sup> AMENDMENT**

Part of the United States Constitution's Bill of Rights, the Fourth Amendment provides that government officials cannot unreasonably detain persons or search them, their belongings, automobiles, or homes without a warrant.

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#### **5<sup>TH</sup> AMENDMENT**

Part of the United States Constitution's Bill of Rights, the Fifth Amendment provides that no person shall have to give information to the government if it might incriminate them. The Supreme Court of the United States in *Miranda v. Arizona* established that this right includes the right to remain silent in the face of law enforcement questioning, and the right to have an attorney present if compelled by law enforcement to provide information.

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#### **APA**

Administrative Procedure Act. The APA is a federal law governing the way in which United States administrative agencies may establish and carry out federal regulations.

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#### **FEHA**

California Fair Employment and Housing Act. FEHA is a state law prohibiting employment and housing discrimination based on, among other factors, gender, national origin, race, or religion.

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#### **INA**

Immigration and Nationality Act. The INA is a federal law governing immigration to and citizenship in the United States.

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#### **RFRA**

Religious Freedom Restoration Act of 1993. RFRA is a federal statute protecting against federal laws that substantially burden a person's free exercise of religion.

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#### **RLUIPA**

Religious Land Use and Institutionalized Persons Act. RLUIPA is a federal statute protecting against state laws that substantially burden a prisoner's right to worship and gives religious institutions a means of avoiding burdensome zoning restrictions on their property use.

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#### **SETH'S LAW**

"Seth's Law" is a piece of California legislation which strengthened the SSVPA (see below) by implementing increased requirements on schools regarding bullying policies and investigations.

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#### **SSVPA**

Safe California Civil Rights Act was legislation introduced in 20210 to require California law enforcement agencies to follow state and local laws and policies at all times, and create transparency and oversight measures for state and local agencies participating in the FBI Joint Terrorism Task Force.

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#### **TITLE VII**

Title VII of the Civil Rights Act of 1964. Title VII is part of a landmark federal law prohibiting employment and housing discrimination based on, among other factors, gender, national origin, race, or religion.

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#### **UNRUH**

Unruh Civil Rights Act. Unruh is a California law prohibiting public accommodation discrimination based on, among other factors, gender, national origin, race, or religion.

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# RELEVANT STATE & FEDERAL ENTITIES

## **CBP**

United States Customs and Border Protection. A component of DHS, CBP is responsible for regulating and facilitating international trade, collecting import duties, and enforcing United States regulations, including trade, customs, and immigration.

## **DISTRICT ATTORNEY**

The District Attorney's office is a county agency responsible for prosecuting violations of the California Penal Code on behalf of the people of California.

## **DFEH**

The Department of Fair Employment and Housing. The DFEH is a state agency responsible for investigating and – where appropriate - prosecuting violations of California's FEHA and Unruh Civil Rights Act. Before a person can bring a private lawsuit under FEHA, they must first file an official compliant with the DFEH.

## **DHS**

The Department of Homeland Security. The DHS is a federal executive department of the United States government and is responsible for responding to accidents and natural disasters, as well as being charged with protecting the United States from, and responding to, terrorist attacks.

## **DOJ**

The United States Department of Justice. The DOJ is a federal executive department of the United States government and is responsible for enforcing federal laws.

## **EEOC**

The Equal Employment Opportunity Commission. The EEOC is the federal agency responsible for investigating and prosecuting violations of Title VII. Before a person can bring a private lawsuit under Title VII, they must first file an official claim with the EEOC.

## **ICE**

United States Immigration and Customs Enforcement. A component of the DHS, ICE is responsible for identifying, investigating, and dismantling vulnerabilities regarding the nation's border.

## **FBI**

The Federal Bureau of Investigation. A government agency within the DOJ, the FBI is responsible for investigating federal criminal activity and intelligence gathering.

## **TSA**

The Transportation Security Administration. A component of DHS, the TSA is responsible for the security of the traveling public in the United States.

## **USCIS**

United States Citizenship and Immigration Services. A component of the DHS, USCIS is responsible for processing immigrant visa petitions, naturalization petitions, and asylum and refugee applications, as well as adjudicating certain immigration matters.

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## OUR MISSION

To enhance understanding of Islam, protect civil liberties, promote justice, and empower American Muslims.

## OUR VISION

To be a leading advocate for justice and mutual understanding.

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