

**CAIR**  
CALIFORNIA

**CIVIL RIGHTS**  
Report **2016**

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# ABOUT CAIR

The Council on American-Islamic Relations (CAIR) is the largest American Muslim civil rights advocacy organization in the United States. Its mission is to enhance understanding of Islam, encourage dialogue, protect civil liberties, empower American Muslims, and build coalitions that promote justice and mutual understanding. CAIR-California is the organization's largest and oldest chapter, with offices in the Greater Los Angeles Area, the Sacramento Valley, San Diego, and the San Francisco Bay Area.



# OPENING MESSAGE



Of all the animosities which have existed among mankind, those which are caused by a difference of sentiment in Religion appear to be the most inveterate and distressing and ought most to be deprecated. I was in hopes that the enlightened and liberal policy which has marked the present age would at least have reconciled Christians of every denomination so far that we should never again see their religious disputes carried to such a pitch as to endanger the peace of Society.

*George Washington, letter to Edward Newenham, October 20, 1792*



From this nation's birth, our leaders recognized the danger religious discrimination could pose to the general peace of society. This recognition is found throughout our founding fathers' speeches and writings, is memorialized in the United States Constitution, and has been continuously addressed for over 200 years. Yet our society currently finds itself embroiled in a level of religious prejudice and animosity not seen for many decades, a prejudice and animosity primarily directed at the Muslim community.

Numerous factors have created the widespread misunderstanding of Islam and Muslims that exists among most Americans today. They include but are not limited to: heavily funded bigoted anti-Islam campaigns attempting to generate hate against the Muslim community;<sup>1</sup> political officials and candidates for office claiming that Muslims are unable to follow the United States Constitution,<sup>2</sup> and are so dangerous that they must be banned from the country<sup>3</sup> or placed in internment camps;<sup>4</sup> and national 24 hour news networks that focus primarily on the extreme minority of Muslims engaging in terrorist activities while almost never showing the counter narrative of the 1.5 billion plus Muslims around the world who are non-violent and peaceful.<sup>5</sup>

Ultimately, the misunderstandings and hateful rhetoric have led a segment of Americans to develop an irrational fear and hatred of Muslims. This fear is commonly referred to as Islamophobia and is at the heart of the high level of discrimination and harassment faced by American Muslims here in California and across the globe, the consequences of which are detailed in this report.

CAIR-California's Civil Rights Team works tirelessly to assist the American Muslim community as their first responder against such hate and animosity. Four offices across the state provide support for American Muslims in California. These offices are located in the Greater Los Angeles Area (CAIR-LA), the Sacramento Valley (CAIR-SV), San Diego (CAIR-SD), and the San Francisco Bay Area (CAIR-SFBA). In 2015 these offices assisted



over 1,000 community members with grassroots advocacy and free of charge legal services, including filing a lawsuit against the United States Government for discriminating against, harassing, and assaulting a 77-year-old gentleman while he was detained in Customs and Border Protection (CBP) custody.

CAIR-California also gives dozens of community empowering “Know Your Rights” (KYR) presentations at mosques, schools, and community centers across the state. These presentations empower American Muslims to respond when faced with civil rights abuses, and educate allies outside the American Muslim community on the current climate of hate and discrimination that their Muslim co-workers, classmates, and neighbors are subjected to on a regular basis.

There is much more work to do here at CAIR-California to temper the fevered pitch of animosity that exists today towards Muslims, and to advocate on behalf of those whose lives are thrown into disarray as a result of hate and discrimination. But thanks to the steadfast support of our community, we can continue to fight for the civil rights of all Americans and ensure the continued peace of our beautifully diverse society in the great state of California.

Sincerely,

Brice Hamack, Esq.  
Civil Rights Coordinator  
CAIR Northern California  
March 2014 - March 2016

# THE SURFACING OF UNDERLYING HATE AND FEAR




Caught up in the Islamophobic hysteria following the Paris and San Bernardino attacks, and given apparent permission by the anti-Muslim rhetoric of political figures across the country, many carrying fear of and animosity toward Muslims allowed their hate to surface in 2015. They did so by lashing out against perceived Muslims and properties associated with the Islamic community.

The connection between the rise in hate incidents against the American Muslim community in 2015 and divisive political rhetoric was made clear when a staunch and outspoken Donald Trump supporter was arrested in Richmond on December 20, 2015.<sup>6</sup>

For weeks William Celli posted threats against the Richmond Muslim community on his Facebook page, pledged his allegiance to Donald Trump, and

posted a photo of a homemade explosive device. He even stood outside the local Richmond Mosque and shouted, “I’m going to kill you all!” as congregants were leaving their Friday afternoon prayers. Police finally arrested Celli after multiple reports of his hateful and violent behavior, and a local bomb squad was forced to detonate a suspected explosive device located inside his home.

CAIR-California received countless reports from American Muslims who were threatened and called any number of vulgarities while driving in their cars, walking in a park, or even shopping with their small children. On multiple occasions, American Muslims reported that the person assaulting them with vulgarities also attempted to physically harm them:

<p>San Diego November 13, 2015</p> 		<p>Chino Hills December 10, 2015</p> 
<p>A pregnant Muslim woman who wears <i>hijab</i><sup>7</sup> was pushing a stroller with her young child in it, when a man assaulted her using her own stroller—with the child still in it—as a weapon.<sup>8</sup></p>	<p>Hayward December 6, 2015</p> <p>Rasheed Albeshari had just finished praying with his friends at Lake Chabot when he was physically assaulted by a woman yelling that he was worshipping Satan.<sup>9</sup></p>	<p>A Muslim woman was at a carwash when another customer began following her around, recording her on his cell phone, and brandishing a knife.<sup>10</sup></p>



In addition to attacks on persons perceived to be Muslim—which included non-Muslims such as Arab, Middle Eastern, and South Asian Christians and Sikhs—Islamic institutions such as mosques and schools were targeted as well. In 2015, there were over seventy reports across the country of mosque vandalisms, the highest number in recent memory.<sup>11</sup> The following are just a few examples:

### Coachella December 11, 2015

Muslim families were gathering inside the Islamic Center of Palm Springs for their weekly Jumu'ah prayers<sup>12</sup> when an incendiary bomb was thrown at their mosque, exploding and engulfing the lobby in flames and smoke.<sup>13</sup>

### Hawthorne December 13, 2015

Members of the Ahmadiyya Muslim Community Baitus-Salaam Mosque arrived for morning prayers and were greeted with the word "JESUS" spray painted on the front wall and what appeared to be a grenade on the mosque grounds.<sup>14</sup>

### Tracy December 27, 2015

Islamic Center of Tracy congregants arrived early for morning prayers only to find shrapnel and damage from an incendiary bomb thrown at the back door.<sup>15</sup>



Our Civil Rights Team is on the ground working with persons and organizations subjected to such hate incidents to ensure that their voices are heard and their concerns raised. We advocate for criminal charges when appropriate and for increased legal protections against such hate incidents. The team also advocates for restorative justice alternatives with the courts, prosecutors, and the community. These consist of offering offenders the option of performing community service within the American Muslim community instead of more institutionalized forms of punishment to help them connect with the American Muslim community and overcome their misunderstandings and biases.



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# THE TEACHING OF HATE



No one is born hating another person because of the color of his skin, or his background, or his religion. People must learn to hate, and if they can learn to hate, they can be taught to love, for love comes more naturally to the human heart than its opposite.

*Nelson Mandela, "Long Walk to Freedom," 1994*



As the public animosity toward American Muslims reaches a fevered pitch, it is our youth who are unfortunately dealing with far too much of the fallout.

In 2015, CAIR-California received numerous reports of children in school being verbally bullied and physically assaulted by their classmates. One report was from a female student who had quarters thrown at her and her *hijab* pulled back by several of her classmates. Another report was from a male student who was called a terrorist by a classmate who also followed him around continuously shouting "Allahu Akbar."<sup>16</sup>

These bullies are not born with a natural hate of Muslims—they are taught to hate Muslims. This teaching could come from their parents, as was the case in one incident in which a bully reported to her teacher that she hated her Muslim classmates because her parents told her all Muslims are killers. It could also come from the endless anti-Islamic and biased media that floods our senses on a daily basis.

Most disheartening, however, is when this teaching comes from our students' teachers. CAIR-California received multiple reports of teachers teaching hate in their classrooms, from handing out lesson plans on Islam that define Sharia Law as condoning the murder of innocent Jews and Christians, to a teacher telling her Muslim students she agreed with a politician's policy proposal to ban all Muslims from the country because she felt it would make the country safer. When teachers engage in fear mongering, it creates a deep sense of isolation and fear in their Muslim students.

Whether it is classmate bullying or teacher discrimination, our Civil Rights Team works directly with parents and students to enforce both state and federal anti-bullying laws,<sup>17</sup> makes sure teachers and administrators engaging in harassing and discriminatory behavior are held accountable, and, most importantly, ensures our youth are given a safe environment in which to learn and grow. The team also works against school bullying from a policy perspective. CAIR-California released a report to raise awareness of the issue and has provided it to hundreds of schools and elected officials in the hopes that the data and narratives included will help drive increased protections for students facing bullying and discrimination.<sup>18</sup>



# PRESUMING DANGER AND EXPLOITING VULNERABILITIES

Trust between the American Muslim community and law enforcement agencies is rapidly deteriorating as a result of widespread biased law enforcement practices and programs targeting Muslims and persons from Muslim majority countries.

Towards the end of 2014, the Department of Homeland Security announced a new program to combat extremism to address the issue of a few young people heading to the Middle East to join extremist groups. The Countering Violent Extremism (CVE) program was quickly rejected by an overwhelming majority of Muslim and civil rights organizations. Chief

criticisms of the program have been its sole focus on the Muslim community, reliance on debunked and discredited models that would unconstitutionally misidentify religious and political practices as “indicators” of extremism, and the associated negative consequences of more profiling.

Los Angeles was identified as one of three pilot cities for the program. CAIR-California’s response was swift and strong. CAIR-California, along with other community leaders, initially met with the Secretary of Homeland Security Jeh Johnson in attempts to have the community’s concerns about CVE addressed. A



letter co-signed by CAIR-California, the American Civil Liberties Union of Southern California (ACLU), Asian Americans Advancing Justice - Los Angeles (AAAJ-LA), Sikh American Legal Defense and Education Fund - Los Angeles (SALDEF), and the Islamic Shura Council of Southern California asked Secretary Johnson to cease the discriminatory program, and instead, “assist our communities to become more fully engaged participants in our democratic system.”

CAIR-California also worked proactively to inform and educate the community about CVE by organizing multiple town halls and presentations. The team worked in coalition with MSA West and the Muslim Anti-Racism Collaborative (MuslimARC) to help provide the community with actionable tools, and launched an online toolkit called Counter the Narrative to serve as a community resource. The toolkit includes information about CVE, reasons for opposing its framework, talking points, and other action items.

Also in December 2014, the United States Department of Justice released an updated version of their “Guidance for Federal Law Enforcement Agencies Regarding the Use of Race, Ethnicity, Gender, National Origin, Religion, Sexual Orientation, or Gender Identity” (DOJ Guidelines).<sup>19</sup> While addressing many flaws in the old 2003 directives related to biased practices, the new directives still explicitly allow federal law enforcement agencies like the Federal Bureau of Investigation (FBI) to target, map, and spy on American Muslims based on nothing more than their race and/or religion. Taking guidance from these directives, FBI agents and local law enforcement officers working on the FBI’s Joint Terrorism Task Force (JTTF) have engaged in numerous forms of biased and manipulative practices against the American Muslim community.

Following up on Islamophobic Suspicious Activity Reports (SAR),<sup>20</sup> FBI and JTTF officers visit community members at their home and/or work and pressure them into providing information about their personal lives, their families, their travels, and their religious beliefs and practices. Anonymous reports that an American Muslim spends time in his basement



with friends, or simply that he is a “threat to radicalize” with no other information, is enough to trigger an FBI visit and pressure from agents to explain to the government why they are not dangerous. In one FBI visit, an agent attempted to coerce a gentleman to submit to a search of his house, without any evidence whatsoever of wrongdoing, to prove that he really did love the United States of America.

CAIR and numerous other civil rights organizations representing communities from across the country signed a letter to President Barack Obama. The letter called for an immediate correction to prevent continued biased law enforcement practices.

Putting an end to these practices is crucial. When FBI agents and informants are unable to find terrorist activity in the American Muslim community, they sometimes turn to creating it. Over the past several years, investigative journalists have documented reports of FBI agents and informants approaching mentally unstable and/or impoverished Muslims and embroiling them in manufactured terrorist plots.<sup>21</sup> Instead of offering these vulnerable persons social or mental health services, the federal government exploits their vulnerabilities, offers them large sums of money, and convinces them to join in their fake terror plot.<sup>22</sup> The FBI then makes an arrest and touts the prevention of a dangerous terror attack.



# SECOND-CLASS TRAVELERS

The Department of Homeland Security (DHS), which works closely with the FBI and under the same DOJ Guidelines, is another federal law enforcement agency with a history of engaging in widespread discrimination against Muslims and persons from Muslim majority countries at our Nation's airports and other ports of entry.

Dr. Abdul Salem, a 77-year-old Egyptian American professor and playwright, was attempting to board a plane to Cairo at Los Angeles International Airport

when he was stopped on the jet bridge by a CBP officer. After inquiring as to why he was the only person being stopped and questioned, four CBP officers restrained him by his arms and neck and told him he would not be getting on his flight. The officers searched through all his belongings and took him to an interrogation room.

Inside the private room the officers slammed Dr. Salem's head onto a table, and one of the CBP officers pulled his arm back so violently that it broke with a loud audible crack. Instead of calling for



medical attention, the officers took him to another detention room where they physically searched him and his belongings again, and kept him in custody and away from medical attention for hours.

In October 2015, CAIR-California filed a lawsuit against the CBP officers and other responsible parties for the discrimination Dr. Salem was subjected to and his resulting injuries. The lawsuit, filed in conjunction with the Law Office of Shafiel Karim, alleges violations of the Fourth and Fifth Amendments of the Constitution and violations under the Federal Tort Claims Act.

While most cases of federal law enforcement profiling do not end in physical injury, it is problematic



when innocent law abiding Muslims are taken into back rooms for secondary screenings, interrogated, held against their will, and treated like presumed threats to the United States.

The vast majority of these “random screenings” are triggered by many Muslims being placed on travel watch lists such as the “Secondary Security Screening Selection” (SSSS) list. A person can be placed on these lists as retaliation for refusing to engage in voluntary interviews with the FBI, if federal law enforcement is interested in recruiting someone as an informant, based on Islamophobic SARs, if they have a common Muslim name, or in some cases because an agent checked the wrong box on a form.<sup>23</sup>

Through advocacy efforts, CAIR-California and numerous other civil rights organizations continue to learn more about the processes behind these watch lists, and, through litigation and public pressure, continue to push the DOJ to amend their policies to provide greater transparency and redress for those placed on the lists.



# AMERICANS ABROAD AND IMMIGRANTS IN THE UNITED STATES

In March 2015, conflict in Yemen escalated dramatically when Saudi Arabia intervened militarily and launched airstrikes in major cities. Saudi Arabia also set up military blockades along its border with Yemen, trapping hundreds of thousands of people, including thousands of Yemeni-Americans.

Despite evacuation efforts by numerous other countries to rescue their citizens from the conflict, the United States government did not provide a single evacuation effort for its citizens.

The American-Arab Anti-Discrimination Committee (ADC), Asian Americans-Advancing Justice-Asian Law Caucus (ALC), and CAIR came together to put pressure on the United States State Department to assist stranded American citizens. The organizations filed litigation against the State Department,<sup>24</sup> and set up a website—[www.stuckinyemen.com](http://www.stuckinyemen.com)—for Yemeni-Americans to enter their information and stay updated on potential evacuation notices. As of February 2016, over 725 persons, the majority of whom are U.S. Citizens, have submitted their information to the website.



San Francisco native Mokhtar Alkhanshali was in Yemen assisting coffee farmers with the help of the United States Agency in International Development (USAID) when the conflict escalated in late March. He turned to the United States government for assistance in evacuating, but received none. CAIR-California attorneys maintained close communication with him while he was stranded in Yemen and strenuously advocated that the United States

Government assist him and the thousands of other Yemeni-Americans trapped in the conflict. Fortunately, Mokhtar was able to flee the country via a small fishing boat across the Red Sea into Africa, and upon his return he worked with CAIR-California and other civil rights organizations to continue to advocate for the evacuation of all those still trapped in Yemen who have received no assistance from their government.



In addition to assisting American citizens overseas, CAIR-California is increasing its commitment to immigrants' rights here in the United States with the continued growth of the Los Angeles Office's Immigrants' Rights Center (IRC). In its second year, the Center received more than double the number of calls from 2014 and tripled the number of active cases.

In March 2015, IRC earned recognition from the Board of Immigration Appeals (BIA), the highest administrative body of the U.S. Department of Justice for interpreting and applying immigration laws. Through BIA recognition, the IRC also received accreditation for one of its staff members, who can now provide legal services to immigrants in the same capacity as a practicing attorney. There are only 980 recognized organizations and 1,842 accredited representatives nationally.

During 2015, IRC focused on one of its major initiatives: naturalization. Throughout the year, it held five naturalization workshops aimed at assisting qualified lawful permanent residents in gaining citizenship. These workshops were held free of charge and benefited more than 50 naturalization applicants.

In June 2015, IRC became an official member of the New Americans Campaign (NAC), a national network of legal service providers providing streamlined access to naturalization services so that greater numbers of legally qualified permanent residents can take the critical step to becoming American citizens.

IRC also became a pro bono partner of the International Refugee Assistance Project (IRAP) at the University of California, Los Angeles School of Law. Through this partnership, the IRC attorney supervises student volunteers who provide legal representation to individual refugees seeking resettlement.





## HATE IN THE WORKPLACE

**D**iscrimination and hostility in the workplace were some of the top concerns facing the American Muslim community in 2015.<sup>25</sup> As the political rhetoric becomes more dangerous, and many Americans' only exposure to Islam remains 24/7 news networks that only depict acts of terrorism, the misunderstandings and fear of Muslims manifest in wrongful employment practices against Muslim co-workers, subordinates, and applicants.

This past year, CAIR-California provided legal assistance to persons who were fired for praying during their breaks or taking a day off for Eid,<sup>26</sup> persons who were forced to shave their beard or face termination,<sup>27</sup> and even persons who faced hostile work environments as retaliation for reporting discriminatory behavior to the Equal Employment Opportunity Commission (EEOC).

CAIR-California also continued its work on two lawsuits filed in 2014 against state and federal agencies for violations of Title VII of the Civil Rights Act of 1964, the Religious Freedom of Restoration Act, and the Administrative Procedure Act.

In the case of *Elhindi v. CDCR* (California Department of Corrections and Rehabilitation), discovery is currently ongoing as both sides are exchanging information regarding the years of harassment Mr. Elsidig Elhindi faced while working as a correctional officer at California State Prison, Sacramento. A settlement offer was made by Mr. Elhindi and negotiations are ongoing.

In the case of *Berts v. Mabus, et al.*, Mr. Jon Berts, a current Naval Reserve Officer, faced harassment and retaliation for requesting to grow a beard for religious reasons while on active duty in the United States Navy. Mr. Berts agreed to stay litigation while pursuing a claim before the Board for Correction of Naval Records (BCNR). The BCNR, an agency of the United States Military, has administrative power to reenlist Mr. Berts into active duty and provide back pay if it finds that the Navy's actions were unlawful. CAIR-California and Mr. Berts are expecting a decision from the BCNR in mid-2016.



# STATISTICS



## General Breakdown

Employment	111	7.1%
FBI & Law Enforcement	159	10.2%
Hate Incidents & Islamophobia	197	12.7%
Housing Discrimination	12	0.8%
Mosque Construction Issues	1	0.1%
Other Government Agencies	18	1.2%
Prison	27	1.7%
Public Accommodation	34	2.2%
School & Higher Education	84	5.3%
Travel	43	2.8%
Immigration/Immigrants' Rights <sup>28</sup>	428	29.9%
Other/Referrals	442	26%
<b>Total</b>	<b>1556</b>	

Of these 1,556 intakes, 1,114 fell within the scope of CAIR-California's work. They include complaints related to religious-based employment discrimination, FBI and law enforcement abuses, hate incidents and Islamophobia, higher education accommodation and discrimination, housing discrimination, mosque construction, other government agency discrimination, prisons, public accommodation, school bullying and accommodation, and travel. They also include immigration complaints to CAIR-LA's Immigrants' Rights Center.

Intakes in the "Other/Referrals" category are those that ultimately did not fall within CAIR-California's work because they did not have an element of religious and/or racial discrimination nor

did they qualify for assistance from CAIR-LA's IRC. These intakes primarily involved issues of contracts, criminal defense, general tort claims, family law, and non-religious-based employment matters. They also included non-legal requests for help such as social services requests.

CAIR-California attempts to refer complainants to proper resources when able to do so. Moreover, in an attempt to more efficiently assist the American Muslim community, CAIR-California asks community members to submit incident reports initially online, as well as check to see if their local office has a "Community Resources" page on their website for help finding non-civil rights related resources such as other more general legal aid organizations.

## Complex Category Breakdown



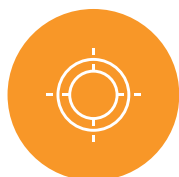
### Employment

Hiring	11	9.9%
Hostile Work Environment/Harassment	41	37%
Religious Dress & Grooming Accommodation	9	8.1%
Other Religious Observance Accommodation	14	12.6%
Retaliation/Wrongful Termination	36	32.4%



### FBI & Law Enforcement

FBI Voluntary Questioning	101	63.5%
State & Local Law Enforcement	26	16.4%
General Concerns	32	20.1%



### Hate Incidents & Islamophobia

Assault	17	8.6%
Hate Incident	60	30.5%
Hate Mail/Email/Fax/Call <sup>29</sup>	96	48.7%
Islamophobic Media	11	5.6%
Vandalism	13	6.6%



### Immigration/Immigrants' Rights

Adjustment of Status (Green Card Application)	60	14%
Asylum	60	14%
Naturalization & Citizenship Preparation	129	30.2%
Naturalization Delays	18	4.2%
Petition for Alien Relative or Future Relative	53	12.4%
Temporary Protected Status (TPS)	31	7.2%
Violence Against Women Act (VAWA)	2	0.5%
Other	75	17.5%



### School & Higher Education

School Accommodation	9	10.7%
School Bullying	28	33.3%
School Teacher/Administration Issues	26	31%
Higher Ed. Accommodation & Discrimination	21	25%



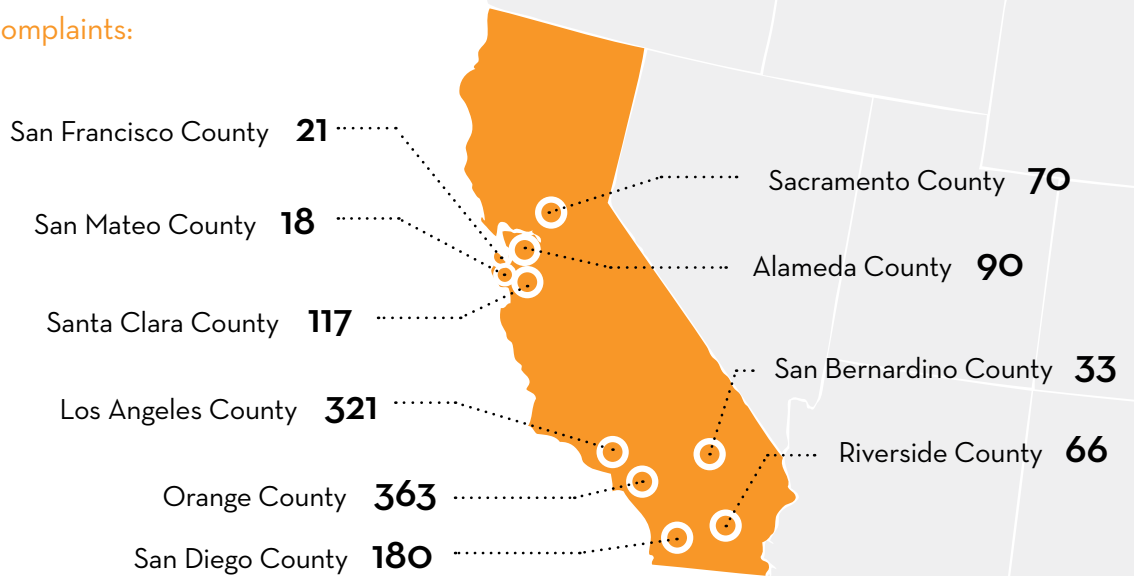
### Travel

Airlines	3	7%
Customs & Border Protection (CBP)	33	76.7%
Transportation Security Administration (TSA)	7	16.3%

## Office & Geographic Breakdown



### Counties with most complaints:





## RECOMMENDATIONS

In order to advance the civil rights of all communities, and in light of the complaints received in 2015, CAIR-California's Civil Rights Team recommends that:

1. American Muslims experiencing any type of hate incident report the incident to their local CAIR office and police department for assessment and recording purposes. Even if there is no legal action that can be taken on your case, CAIR and other civil rights organizations use this information to tell the American Muslim narrative, bring increased attention to the hostile environment many American Muslims are living in, and advocate for increased protections.  
.....
2. All eligible voters hold elected officials accountable—especially by becoming engaged this upcoming election year—for promoting bigoted policies, engaging in dangerous rhetoric, and/or failing to take hardline stances against those politicians who do engage in such dangerous rhetoric and create a hostile environment for the American Muslim community.  
.....
3. All Americans learn and assert their rights when interacting with law enforcement, when approached by the FBI or DHS for voluntary questioning, or when subjected to enhanced questioning and screening procedures while traveling.  
.....
4. Local law enforcement agencies cease any and all partnerships with federal law enforcement agencies that require resources to be dedicated toward investigations stemming purely from a person's racial and/or religious identity and are aimed primarily at gathering information on a person's constitutionally protected activities.  
.....
5. Schools provide comprehensive diversity training to their administration and faculty, as well as training on how to properly respond to bullying under California and federal law.  
.....
6. Employers provide comprehensive diversity and employee rights trainings to their employees, including training on American Muslims, Title VII, and FEHA, and that employers take swift and stern action against employees who engage in discriminatory or harassing behavior against their co-workers.  
.....
7. Employers create a workplace environment where employees feel both empowered to speak out internally against discrimination and harassment in the workplace and confident that they will receive protection from such behavior and not retaliation.  
.....
8. Employees experiencing discrimination immediately contact their local Human Resources department and report the potentially discriminatory behavior, preferably via e-mail to maintain written records, and contact an organization such as CAIR for advice and consultation.

# PARTNERS

C AIR-California 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 (ADC)  
American Civil Liberties Union (ACLU)  
American Muslim Voice  
Arab Culture and Community Center (ACCC)  
Arab Film Festival  
Arab Resource and Organizing Center (AROC)  
Asian Americans Advancing Justice-Asian Law Caucus  
Asian Americans Advancing Justice-Los Angeles  
Bay Area Muslim Bar Association (BAMBA)  
Bill of Rights Defense Committee (BORDC)  
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 Human Rights and Constitutional Law  
Church State Council  
Clergy and Laity United for Economic Justice  
Coalition for Humane Immigrant Rights Los Angeles  
Dr. Hatem Bazian  
Immigrant Youth Coalition  
Interfaith Communities United for Justice and Peace  
Interfaith Worker Justice  
Islamic Circle of North America  
Islamic Networks Group (ING)  
Islamic Shura Council of Southern California  
Japanese American Citizens League  
Jewish Voice for Peace  
Kizuna  
LA Jews for Peace

Lawyers' Committee for Civil Rights  
League of United Latin American Citizens  
Legal Aid Foundation Los Angeles  
Legal Aid Society-Employment Law Center  
Los Amigos of Orange County  
Muslim American Society (MAS)  
Muslim Anti-Racism Collaborative  
Muslim Leadership Council of San Diego  
Muslim Legal Fund of American (MLFA)  
Muslim Public Affairs Council (MPAC)  
Muslim Student Association (MSA) West  
Nat. Assoc. for the Adv. of Colored People (NAACP)  
National Lawyers Guild (NLG)  
National Religious Campaign Against Torture  
Nikkei for Civil Rights and Redress  
North American Islamic Shelter for the Abused (NISA)  
Orange County API Community Alliance  
Orange County Bar Assoc. Charitable Fund  
Orange County Congregation Community Organization  
Orange County Human Relations Commission  
Palestine Legal  
Pangea Legal Services  
Program for Torture Victims  
Progressive Christians Uniting  
Project Islamic Hope  
San Francisco Human Rights Commission  
Services, Immigrant Rights, & Education Network (SIREN)  
Sikh American Legal Defense and Education Fund  
South Asian Bar Assoc. (SABA)  
South Asian Bar Assoc. of Northern California (SABA-NC)  
South Asian Network  
The Sikh Coalition  
United Sikhs  
Western Justice Center Foundation  
Women For: Orange County

This report, and CAIR-California's civil rights efforts, were made possible in 2015 through support from the California Bar Foundation, the California Community Foundation.

# APPENDIX

## Glossary of Common Laws & Legal Entities

### Relevant State & Federal Laws



- **1st 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.  
.....
- **4th 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.  
.....
- **5th 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 would possibly incriminate them. The Supreme Court of the United States in *Miranda v. Arizona* provided that this 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.  
.....
- **6th Amendment:** Part of the United States Constitution’s Bill of Rights, the Sixth Amendment provides that all persons facing government criminal proceedings be allowed the right to a jury trial and the assistance of an attorney.  
.....
- **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.  
.....
- **FEHA:** California Fair Employment and Housing Act. FEHA is a state law outlawing employment and housing discrimination based on, among other factors, gender, national origin, race, or religion.  
.....
- **INA:** Immigration and Nationality Act. The INA is a federal law governing immigration to and citizenship in the United States.  
.....
- **Ralph Act:** Ralph Civil Rights Act. The Ralph Act is a California law providing civil and administrative remedies for those targeted for violence based on, among other factors, their gender, national origin, race, or religion.  
.....
- **RFRA:** Religious Freedom Restoration Act of 1993. RFRA is federal law protecting against federal laws that substantially burden a person’s free exercise of religion. It provides increased protections on top of the First Amendment.  
.....
- **RLUIPA:** Religious Land Use and Institutionalized Persons Act. RLUIPA is federal law protecting against state laws that substantially burden a prisoner’s right to worship and gives religious institutions a way to avoid burdensome zoning law restrictions on their property use.  
.....
- **Seth’s Law:** “Seth’s Law” is a piece of California legislation bolstering and strengthening the SSVPA by implementing increased requirements on schools in regards to bullying policies and investigations.  
.....
- **SSVPA:** School Safety Violence Protection Act. The SSVPA is a California law requiring schools to develop and implement policies that protect students from bullying.

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

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

## 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 on occasion 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 complaint 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 protecting the United States from and responding to terrorist attacks, man-made accidents, and natural disasters.

→ **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 on occasion 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, economic, transportation, and infrastructure security.

→ **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.

→ **U.S. Attorney:** United States Attorney Offices are federal counterparts to state District Attorney Offices. They prosecute federal crimes and represent the United States federal government in United States district courts and United States courts of appeals.

→ **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.





## OUR VISION

To be a leading advocate for justice and mutual understanding.

## OUR MISSION

To enhance understanding of Islam, encourage dialogue, protect civil liberties, empower American Muslims, and build coalitions that promote justice and mutual understanding.

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<sup>1</sup> See Matthew Duss et al., *Fear Inc. 2.0: The Islamophobia Network's Efforts to Manufacture Hate in America*, Center of American Progress (2015), available at <https://www.americanprogress.org/issues/religion/report/2015/02/11/106394/fear-inc-2-0/>.

<sup>2</sup> See Pete Williams, *Analysis: Ben Carson, the Constitution and a Muslim President*, NBC NEWS (Sep. 21, 2015), <http://www.nbcnews.com/news/us-news/ben-carson-constitution-muslim-president-n431146>.

<sup>3</sup> See Ed Pilkington, *Donald Trump: ban all Muslims entering US*, The Guardian (Dec. 7, 2015), <http://www.theguardian.com/us-news/2015/dec/07/donald-trump-ban-all-muslims-entering-us-san-bernardino-shooting>.

<sup>4</sup> See *Roanoke mayor uses internment camps to justify refugee policy*, BBC NEWS (Nov. 19, 2015), <http://www.bbc.com/news/world-us-canada-34864814>.

<sup>5</sup> In a recent editorial opinion, Dr. Mohamed Elmasry from the University of North Alabama wrote:

Many scholars—including Edward Said, Elizabeth Poole, Kai Hafez, Milly Williamson, Karim Karim, Teun Van Dijk, Kimberly Powell, and Dina Ibrahim, among others—have carried out academic studies examining western news coverage of Islam and Muslims.

Results suggest that Muslims are often portrayed in western news media as violent, backwards, fundamentalist and as threats to western civilisation. Western news coverage rarely highlights Islam except to show its possible relation to some atrocity, and Muslims are rarely mentioned in the context of news that is positive or benign.

Several studies have found that Muslims are portrayed as a homogenised body, lacking diversity and difference, with other analyses showing that news coverage of violent conflicts in the Muslim-majority world ignores context and circumstances, implying that Muslims are inherently violent and prone to conflict.

Mohamad Elmasry, *Chapel Hill Shooting and Western Media Bigotry*, Al Jazeera (Feb. 11, 2015 8:40 GMT), <http://www.aljazeera.com/indepth/opinion/2015/02/chapel-hill-shooting-western-media-bigotry-150211083909613.html>

<sup>6</sup> See Anita Chabria, *Police waited two weeks to arrest man over alleged pipe bomb and anti-Muslim threats*, The Guardian (Dec. 22, 2015), <http://www.theguardian.com/us-news/2015/dec/22/california-man-arrested-for-building-a-pipe-bomb-and-threats-to-muslims>.

<sup>7</sup> Hijab refers to modest clothing that many Muslims choose to wear in public. It is most often comprised of loose-fitting clothes and a head covering.

<sup>8</sup> See Dave Summers, *Pregnant Muslim Woman Assaulted in Mission Valley*, NBC 7 SAN DIEGO (Nov. 19, 2015), <http://www.nbcsandiego.com/news/local/Pregnant-Muslim-Woman-Assaulted-in-Mission-Valley--351641931.html>.

<sup>9</sup> See Veronica Rocha, *State employee investigated after allegedly hitting, throwing coffee on praying Muslim man*, Los Angeles Times (Dec. 9, 2015), <http://www.latimes.com/local/lanow/la-me-ln-cdcr-employee-investigated-muslim-praying-20151209-story.html>.

<sup>10</sup> See Kimberly Chang, *Possible Hate Crime Investigated After Man Pulls Knife on Muslim Woman in Chino Hills: Sheriff's Department*, KTLA 5 (Dec. 11, 2015), <http://ktla.com/2015/12/11/possible-hate-crime-investigated-after-man-pulls-out-knife-on-muslim-woman-in-chino-hills-sheriffs-department/>.

<sup>11</sup> See *CAIR Report: Number of Incidents Targeting U.S. Mosque in 2015 Highest Ever Recorded*, CAIR (Dec. 17, 2015), <http://www.cair.com/press-center/press-releases/13313-mosques-targeted.html>.

<sup>12</sup> Jumu'ah prayers are the mid-day Friday prayers that the vast majority of Muslims feel are mandatory to attend as part of their Islamic faith.

<sup>13</sup> See Ralph Ellis and Steve Almsy, *Arrest made in connection with California mosque fire*, CNN (Dec. 12, 2015), <http://www.cnn.com/2015/12/12/us/california-mosque-fire/>.

<sup>14</sup> See Holly Yan, *2 California mosques vandalized, both with 'Jesus' spray-painted in graffiti*, CNN (Dec. 14, 2015), <http://www.cnn.com/2015/12/14/us/hawthorne-california-mosques-vandalized/>.

<sup>15</sup> See Kevin Schultz, *Tracy mosque attacked in what Muslim leaders say is hate crime*, SF GATE (Dec. 27, 2015), <http://www.sfgate.com/bayarea/article/Tracy-mosque-attacked-in-what-Muslim-leaders-say-6722167.php>.

<sup>16</sup> Allahu Akbar is an Arabic Islamic phrase that roughly translates to "God is greater."

<sup>17</sup> Cal. Educ. Code §§ 234-234.5, 32261-32262, 32265, 32270, 32282, 32283 (2015); 42 U.S.C. § 2000d (2014).

<sup>18</sup> See Fatima Dadabhoy et al., *Council on American-Islamic Relations-California, Misabeled: The Impact of School Bullying and Discrimination on California Muslim Students* (2015), <https://ca.cair.com/sfba/wp-content/uploads/2015/10/CAIR-CA-2015-Bullying-Report-Web.pdf>.

<sup>19</sup> U.S. Department of Justice, *Guidance for Federal Law Enforcement Agencies Regarding the Use of Race, Ethnicity, Gender, National Origin, Religion, Sexual Orientation, or Gender Identity* (Dec. 2014), <http://www.justice.gov/sites/default/files/ag/pages/attachments/2014/12/08/use-of-race-policy.pdf>.

<sup>20</sup> The Nationwide SAR Initiative is a vast expansion of the federal government's domestic intelligence network. Under the SAR initiative, local law enforcement offices, intelligence and homeland security officials, emergency responders, and even private citizens become the "eyes and ears" of the federal government by reporting "suspicious" activities potentially related to terrorism. Yet many such activities—such as using binoculars, taking pictures, drawing diagrams, and taking notes—are either innocuous or protected by the First Amendment. The SAR initiative therefore increases the probability that innocent people will be stopped by police and have their personal information collected for inclusion in law enforcement and intelligence databases.

See Asian American Advancing Justice-Asian Law Caucus et al., *Suspicious Activity Report: What They Are and How they Are Impacting Our Communities* (2014), [https://ca.cair.com/sfba/wp-content/uploads/2015/05/SARS\\_pamphlet.pdf](https://ca.cair.com/sfba/wp-content/uploads/2015/05/SARS_pamphlet.pdf).

To make matters worse, the SAR initiative opens the door to racial and religious profiling. Allowing law enforcement agencies to collect information about people and behavior that someone deems "suspicious" gives officers authority to harass practically anyone they choose. The unsurprising result is surveillance and monitoring of communities, particularly Muslims and communities of color, based on race, religion, or involvement in political protest activities. For more information on SARs, visit <http://bit.ly/acluSARs> or <http://bit.ly/alcSARs>.

<sup>21</sup> See, e.g., Trevor Aaronson, *The Sting: How the FBI Created a Terrorist*, The Intercept (March 16, 2015), <https://firstlook.org/theintercept/2015/03/16/howthefbicreatedaterrorist>.

<sup>22</sup> See, e.g., Glenn Greenwald, *Why Does the FBI Have to Manufacture its Own Plots if Terrorism and ISIS Are Such Grave Threats?*, The Intercept (Feb. 26, 2015), <https://theintercept.com/2015/02/26/fbi-manufacture-plots-terrorism-isis-grave-threats/>.

<sup>23</sup> See *Ibrahim v. Dep't of Homeland Sec.*, No. C 06-00545 WHA (N.D. Cal. Jan. 14, 2014).

<sup>24</sup> See Niraj Warikoo, *Lawsuits demand: Rescue Americans stranded in Yemen*, USA TODAY (April 10, 2015); <http://www.usatoday.com/story/news/nation/2015/04/10/rescue-americans-stranded-in-yemen-suit-asks/25562581/>.

<sup>25</sup> Recent studies found that fictional job applicants listing an affiliation with Islam were least likely to receive a response to their resume submission compared to similar resumes listing affiliations with other religions or no affiliation at all. See Bradley R.E. Wright et al., *Religious Affiliation and Hiring Discrimination in New England: A Field Experiment*, 34 *Research in Social Stratification and Mobility* 111 (2013); see also Michael Wallace et al., *Religious Affiliation and Hiring Discrimination in the American South: A Field Experiment*, 1 *Social Currents* 189 (2014).

<sup>26</sup> Eid is an Islamic holiday occurring twice a year. Eid al-Fitr is the holiday celebrating the end of Ramadan on the first day of the tenth lunar month of the Islamic Calendar. Eid al-Adha is celebrated in the twelfth month of the Islamic calendar, commemorating the end of Hajj in Mecca, Saudi Arabia every year.

<sup>27</sup> Many devout Muslim men grow beards as part of their sincerely held Islamic beliefs.

<sup>28</sup> CAIR-LA's Immigrants' Rights Department accounts for 406 of these intakes.

<sup>29</sup> This includes certain hate calls, emails, and packages sent to CAIR California offices.





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