

# A Muslim Woman's Guide to Her Civil Rights:

When Faith Practices Trigger Discrimination in America

A M A L

The Association of Muslim American Lawyers

## *Who We Are*

The Association of Muslim American Lawyers<sup>1</sup> (AMAL) is a not-for-profit organization incorporated under the laws of the State of New York. AMAL's mission includes: facilitating the American Muslim community's exercise of legal rights through education; encouraging entry into the legal profession; assisting members in their professional development; promoting the administration of justice; benefiting the community with legal resources and services; identifying and exploring themes common to American and Islamic jurisprudence; and promoting the highest standards of professionalism, integrity and honor amongst AMAL members. By undertaking initiatives like *"A Muslim Woman's Guide to Her Rights: When Faith Practices Trigger Discrimination in America,"* AMAL strives to use its resources to teach, care for and strengthen the general population.

## *About the Guide's Author & Acknowledgments*

**Engy Abdelkader, Esq.** is an attorney based in the New York/New Jersey area who is working on a number of notable human rights cases involving clients from all over the world. She has an extensive record of public speaking on Islam as well as civil liberties, Arab-American and Muslim issues at law schools, universities and community forums. As a Civil Rights Attorney and the national director of Civil Rights at the Council on American-Islamic Relations in Washington, D.C., she provided information, advice and legal representation to American Muslims throughout the United States who had suffered discrimination in employment or educational opportunities, at airports or on airplanes, by local, state and/or federal law enforcement officials, as well as to victims of hate crimes. Miss Abdelkader has also worked with the American Civil Liberties Union, the Arab-American Justice Project run by the American-Arab Anti Discrimination Committee in New York, and the Center for Constitutional Rights, where she provided research on the case of Maher Arar. She presently serves on AMAL's Board of Directors.

Miss Abdelkader would like to express genuine appreciation to her parents Zeinab and Ahmed Abdelkader; friends Mona Abdala, Eman Ramadan, Samah Abdallah and Janet Braxton; and AMAL Board Members Omar Mohammedi, Esq., Kevin James (J.D. Candidate), Ally Hack, Esq. and Maryam Sayar (J.D. Candidate) for their continued support.

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<sup>1</sup> You may contact AMAL by sending an E-mail to: [info@theamal.org](mailto:info@theamal.org).

## Introduction

Freedom of religion was one of the founding principles of the United States of America. The First Amendment to the United States Constitution protects the freedom of belief, practice and observance:

*“Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the Government for a redress of grievances.”* United States Constitution, Amendment I

Your free exercise of religion is protected throughout the United States so long as your Islamic belief is sincerely held. The First Amendment gives you the right to seek relief from U.S. laws and regulations that burden your religious beliefs and practices without a compelling interest. In fact, the free exercise of religion provided for by the First Amendment *is* the American Muslim woman who observes Hijab (a headscarf and modest dress) as a matter of conscience.

The original version of the amendment introduced in 1789 by James Madison stated:

*“The civil rights of none shall be abridged on the account of religious belief ... nor shall the full and equal rights of conscience in any manner or on any pretext be infringed.”*

In addition, the “Equal Protection Clause” of the Fourteenth Amendment to the Constitution protects you against discrimination by state and local governments on the basis of your religion and other beliefs, as well as on the basis of your ethnicity and gender. This same prohibition applies to the federal government via the “Due Process Clause” of the Fifth Amendment. Further, state constitutions also include their own prohibitions against religious discrimination that may in fact afford you more protection than the United States Constitution’s minimum bar. These are your constitutional rights.

***“A Muslim Woman’s Guide to Her Civil Rights: When Faith Practices Trigger Discrimination in America”*** is intended for use by every American Muslim woman whose free exercise of religion makes her a conspicuous and, frequently, first target for discriminatory conduct.

Although the information included here does not constitute legal advice and counsel, it is provided with the intention of empowering Muslim women against potential perpetrators of injustice in varying yet common contexts of discrimination. Consisting of nine (9) sections, ***“A Muslim Woman’s Guide to Her Civil Rights”*** addresses each of the following subjects respectively: *Photographs; Security Screenings; Employment Discrimination; Housing Discrimination; Schools and Universities; Hate Crimes; Denial of Services & Discriminatory Conduct in Places of Public Accommodation; Airplanes; and Finding a Lawyer.*

Upon reading an advance copy of ***“A Muslim Woman’s Guide to Her Civil Rights,”*** one American Muslim woman found:

*"...[It] was clear, to the point, I understood my rights ... it wasn't complicated to understand at all. I knew after reading it what I can do if I ever faced something like that ... I thought it was extremely informative..."*

Another stated:

*"The [guide] looks REALLY useful, particularly the driver's license section, security checks and employment discrimination. Well, perhaps the most useful is what to do when something goes wrong (i.e. find a lawyer)! ... This looks like something that everyone should keep around the house just in case so they don't panic and are prepared if/when something occurs to know what the law states in case they feel violated. This is such an important task ..."*

Her friend observed:

*"It's very informative and although we may think we should all know this information, a lot of Muslim women out there do NOT know their rights and need to know ... something of this nature that can empower Muslim women to know what is legal and illegal is really important."*

The United States is based upon a system of checks and balances: the courts, congress, the president ... and most importantly, the American people. Do not make the mistake of underestimating your own political power, individually and collectively, or your ability to effect positive change in your corner of the world.

***“Read! In the name of your Lord Who created ...”***

The Holy Qu'ran 96:[1]

# **A Muslim Woman's Guide to Her Rights: When Faith Practices Trigger Discrimination in America**

## *Section I: Photographs*

### Driving License & Identification Card Photographs:

As many of you may be aware, the Department of Motor Vehicles ("DMV") is a state government agency that handles matters related to automobiles. Driver licensing in the United States is typically handled solely at the state level. In some states, the DMV is known as the Bureau of Motor Vehicles, the Registry of Motor Vehicles, the Motor Vehicle Division, Driver and Vehicle Services Division, the Motor Vehicle Administration, Motor Vehicle Commission or simply Motor Vehicle Services. A few states assign DMV functions to an existing government agency. As does the department's name, DMV policies on religious accommodation in driving license and identification card photographs vary on the state level.

According to research conducted by the Council on American-Islamic Relations in 2004, with the exception of Georgia, Kentucky, New Hampshire and Kansas that are all silent on the issue, most states' DMV offices explicitly permit women to cover their hair in license and identification card photographs for religious reasons. A few states require written verification of your religious beliefs – specifically, Connecticut, Hawaii, Idaho and Kansas require a written statement that your headscarf is worn in conformance with Islamic religious convictions and Nebraska and North Carolina require an affidavit signed by witnesses.

Despite formal statewide policies allowing Muslim women to wear headscarves in driving license and identification card photographs for religious purposes, DMV personnel may nevertheless ask you to remove or push back your headscarf for a driving license or identification card photograph. In response, you may *politely* and *calmly* explain that: you are Muslim, you cover your hair on a daily basis for religious reasons that preclude you from removing or pushing back your headscarf in the presence of men unrelated to you by blood or marriage or for purposes of the subject photograph and, where applicable, the state's DMV official policy accommodates Muslim women who observe Hijab.

If you continue to meet resistance, however, request to speak to a supervisor. Maintain a polite yet firm tone during this conversation. If the supervisor refuses to honor your request for a religious accommodation, note his or her name, job title and physical description and then contact your local civil rights organization for further assistance; you should be able to secure a driving license or identification card in a short period of time where a formal statewide policy is in effect in your jurisdiction. You may also wish to register a letter of complaint with the regional DMV office in your state to prevent similar future episodes from happening to you and other Muslim women in your area.

### Passport, Visa & Immigration Photographs:

The U. S. Department of State's religious accommodation policy enables you to wear a headscarf in passport, visa and immigration photographs so long as it is worn for religious reasons on a daily basis and provided the full front of your face is visible in the photograph; note, your hairline and ears need not show. This also applies for photographs taken for U.S. consulate offices abroad.

As a precaution, submit your photographs with a signed and dated statement simply declaring that you wear a headscarf on a daily basis in accordance with your Islamic religious beliefs. If you are instructed to remove your headscarf or show your hairline for a passport, immigration or visa photograph, you may *politely* and *calmly* explain that: you are Muslim, you cover your hair on a daily basis for religious reasons that preclude you from removing or pushing back your headscarf in the presence of men unrelated to you by blood or marriage or for purposes of the subject photograph and the U.S. Department of State allows for a religious accommodation to Muslim women who wear the headscarf on a daily basis for religious reasons. In fact, the U.S. Department of State's policy as described above may be viewed at: [http://travel.state.gov/passport/guide/faq/faq\\_881.html](http://travel.state.gov/passport/guide/faq/faq_881.html).

Request to speak to a supervisor, however, should you continue to meet resistance. Remain polite during your conversation. If the supervisor refuses to honor your request for a religious accommodation, despite a signed statement verifying your Islamic beliefs and practices, note his or her name, job title and physical description and then contact a civil liberties advocacy group for further guidance.

## *Section II: Security Screenings*

### Security Checks at the Airport:

An official policy of religious and cultural sensitivity is used for Muslim women at the time of airport security screenings. If you activate a metal-detector alarm, you may request for a personal secondary search to be performed by a female officer in a private area. This search may include a hand-wand search and an outer pat-down inspection.

You may wear a headscarf and/or face veil during the search, however, should hair accessories underneath your scarf prompt the hand-wand alarm the responsible female officer must touch the area and may ask you to remove your headscarf. Therefore, exercise foresight and dress accordingly.

If you are asked to remove your headscarf or another article of clothing, such as a suit blazer, in public and are unable to do so for religiously motivated modesty-related concerns, you may *calmly* and *politely* explain that: you are Muslim, you cover your hair and entire body on a daily basis for religious reasons that preclude you from removing your headscarf or the subject article of clothing

in the presence of men unrelated to you by blood or marriage and they have an official policy of religious accommodation for Muslim women. This policy on religious and cultural sensitivity may be viewed by visiting the Transportation Security Administration's ("TSA") website at [www.tsa.gov/public/interapp/editorial/editorial\\_1037.xml](http://www.tsa.gov/public/interapp/editorial/editorial_1037.xml). You may request a private personal search by a female officer at which time you may remove your blazer or other article of clothing accordingly.

If you believe you have been discriminated against by a TSA employee, you may file a complaint by sending an E-mail to [TSA.OCR-ExternalCompliance@dhs.gov](mailto:TSA.OCR-ExternalCompliance@dhs.gov) or by calling the Office of Civil Rights at: 1-877-EEO-4-TSA. Your complaint should include the following information: your name, address and daytime telephone number, the TSA employee's name and job title, the date, time and place of the incident including the airport and terminal locations, the basis upon which you believe you were discriminated against and the offensive comments and/or conduct about which you are concerned. Contact a civil rights lawyer and/or advocacy group for additional support.

#### State & Federal Building Security Screenings:

Title III of the Civil Rights Act of 1964 prohibits discrimination in public facilities because of race, color, religion or national origin. Public facilities are facilities owned, operated or managed by state or local governments, like courthouses.

During state and federal building security screenings you may conduct yourself as you might during an airport security screening as described in the section above. For instance, if you are asked to remove a suit blazer prior to or after activating a building entrance metal detector alarm, and are unable to do so for religiously motivated modesty-related concerns, you may explain that: you are Muslim, you cannot remove your blazer as it would leave you exposed in public thus violating your religious beliefs but you are ready to remove it in a private personal search.

Be certain to clearly articulate that: (1) you respect their security procedures and wish to comply with them fully but are bound by your religious beliefs; and (2) you are requesting a religious accommodation pursuant to the national government's official policy of cultural and religious sensitivity for Muslim women (refer to TSA and airport security screenings).

Officer and public safety is of paramount concern to the men and women tasked with securing these buildings. Therefore, you may wish to express your readiness - in fact eagerness - to comply with their security protocols by going so far as to offer removing your headscarf in addition to the requested articles of clothing in question BUT only in the sole presence of a female officer due to your Islamic religious beliefs and practices. You may later use such an offer against them, demonstrating your sincerity and good faith, should they deny your request.

Finally, note the building name and location, all offending officer and supervisor names, job titles, the agencies with which they are affiliated and uniform descriptions, the time, date and location of the incident and the names and contact information for witnesses in order to register a related discrimination complaint following the incident. Write to your elected officials and call your local lawyers and/or civil rights organizations for further assistance.

### *Section III: Employment Discrimination*

Title VII of the Civil Rights Act of 1964<sup>2</sup> prohibits employment discrimination, by businesses with fifteen (15) or more employees, on the basis of your race, color, religion, sex and national origin. "Religion" encompasses your belief as well as all aspects of your religious observance and practice. The Civil Rights Act's prohibition on discrimination includes hiring, compensation, terms, conditions and/or privileges of employment.

#### Hiring:

It is illegal for a potential employer to refuse to hire you because you are Muslim. Similarly, an employer cannot refuse to hire you because of alleged discomfort your religious dress or appearance may allegedly cause to customers or employees. Refusing to hire you because of purported discomfort by customers or co-workers to your being Muslim is the same as their refusing to hire you because you are Muslim.

It is illegal.

If questions or other circumstances at the time of your interview lead you to believe you were not hired because of your religious dress, you should request the business reasons underlying the employer's decision. You should also file a complaint with the U.S. Equal Employment Opportunity Commission<sup>3</sup> (EEOC); the appropriate contact number is provided below. The EEOC will conduct an investigation, evaluate the merit of your claim and may issue you a 'notice of right to sue' allowing you to proceed with a lawsuit.

#### On-the-Job Discrimination & Unlawful Termination:

Managers and supervisors are legally obligated to stop discriminatory conduct against you once they receive a related complaint advising them of the same. They must do so by taking disciplinary action against the co-worker that in fact causes him or her to stop the offensive behavior. If no such action is taken or is not significant enough, they may become complicit in the discrimination and you may have a legal cause of action against your employer. Lodge a complaint with the EEOC. Be sure to document everything in writing, including all the dates of and details surrounding the incident(s) of discrimination, the names and contact information for witnesses, the notice of discrimination given to management and its response to the same.

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<sup>2</sup> The Civil Rights Act of 1991 was passed to strengthen and improve federal civil rights law in order to deter unlawful harassment and intentional discrimination in the workplace.

<sup>3</sup> The EEOC is responsible for enforcing employment discrimination laws for private employers and for the federal government. The U.S. Department of Justice is charged with fighting employment discrimination by state and local government employers.

If you begin wearing a headscarf to work and your employer asks you to remove it, you should request a religious accommodation to wear it to work. Your employer is legally obligated to honor your request if it does not impose a burden or "undue hardship" (i.e. it is too expensive or difficult). Customer preferences or co-worker discomfort with your Hijab, however, does not qualify as undue hardship. Another possible objection to your Hijab may relate to your personal safety or health on the job as in the instance of police officers and firefighters; in these cases, snap-on headscarves have been used as an acceptable alternative and compromise for traditionally worn headscarves.

Should your employer continue to insist that you remove your headscarf or takes disciplinary action against you for refusing to remove it, you may contact the EEOC to file a complaint of discrimination. Note: you must file a complaint or what is known as a "charge" with the EEOC within 180 days (6 months) of the alleged incident of discrimination. You cannot file a related religious discrimination lawsuit against an employer without FIRST filing a complaint with the EEOC. A lawsuit may be instituted only after you have received a "notice of right to sue" from the EEOC. The notice is issued once the agency has completed its investigation into your claim and having assessed its merit, determined that you may proceed in bringing a lawsuit. You may contact the EEOC National Contact Office at 1-800-669-4000 to file a complaint. You should speak to an Employment Discrimination lawyer for additional guidance.

#### Additional Information About Filing a "Charge"

As noted above, a "charge" or complaint must be filed with the EEOC within 180 days (6 months) of the date of the alleged discrimination in order to protect your right to later file a lawsuit. However, the 180-day filing deadline is extended to 300 days if a state or local anti-discrimination law covers your complaint.

In fact, many states and localities have anti-discrimination laws and agencies specifically responsible for enforcing those laws. The EEOC refers to these agencies as "FAIR Employment Practices Agencies ("FEPA")." Your complaint may be filed with the EEOC or your FEPA, where applicable. To find your state's Fair Employment Practice Agency, go to: <http://www.wvu.edu/links/cra.html> or look in your local telephone directory.

If you file a complaint with the FEPA and it is also covered by federal law, the FEPA "dual files" your complaint with the EEOC to protect your federal rights; the converse is true as well. Your complaint is typically retained by the FEPA for handling.

Once you have filed a complaint, the EEOC will serve notice of the charge (including date, place and circumstances of the alleged unlawful employment practice) on your employer within ten (10) days and make an investigation thereof. If the EEOC determines following its investigation that there is reasonable cause to believe your complaint to be true, it will try to eliminate the unlawful practice through conciliation or issue you a notice of right to sue as referenced above. In limited instances the EEOC may litigate the case on your behalf at no expense to you.

Your complaint will be dismissed if no reasonable cause is found by the EEOC to believe your claim to be true. The EEOC is supposed to make its determination as promptly as possible – and no later than 120 days (4 months) from your filed complaint. However, you are not obligated to

wait until such a determination has been made by the EEOC. You may retain an attorney and request a notice of right to sue at any time after your initial filing of the complaint in order to institute a lawsuit in court.

Note it is also unlawful for your employer to retaliate against you because you opposed a discriminatory employment practice, or because you made a complaint, testified, assisted or participated in an investigation, proceeding or hearing related to the same.

You should speak to an Employment Discrimination lawyer for legal advice and further guidance.

#### ***Section IV: Housing Discrimination***

The Fair Housing Act, contained in Title VIII of the Civil Rights Act of 1968<sup>4</sup>, prohibits discrimination in the sale, financing or rental of housing because of your race, color, religion, sex, handicap, familial status (with children under 18) or national origin. The Fair Housing Act includes many types of housing transactions, such as mortgage lending, homeowner's insurance, home improvement and zoning in addition to home sales and rentals.

If you believe you have been a victim of housing discrimination on the basis of your religion, you may file a complaint with the Department of Housing and Urban Development (HUD) within one (1) year of the date of discrimination. HUD is the federal agency tasked with enforcing federal fair housing laws. HUD should address your complaint immediately when your situation so requires.

If you are not using a HUD form, your housing complaint should include the following information: your name, address and daytime telephone number, the name and address of the person about whom you are complaining, the address or description of the housing, a description of the discriminatory conduct and the date it happened.

When you file a housing discrimination complaint with HUD, it may decide that your state, county or city has the same or stronger fair housing laws as the federal government. The state or local agency must begin to work on the complaint within thirty (30) days or HUD should take it back.

Within 120 days (4 months) of its finding reasonable cause that discrimination took place you will have what is known as an administrative hearing before an administrative law judge. You have the right to decline this hearing and instead have the case heard in Federal District Court.

To file a complaint with HUD visit [www.hud.gov/complaints/housediscrim.cfm](http://www.hud.gov/complaints/housediscrim.cfm) or call HUD's toll-free number: 1-800-669-9777. Check your local telephone directory to find state government agencies

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<sup>4</sup> In 1988, Congress enacted amendments to the Fair Housing Act that gave the U.S. Department of Justice and Housing and Urban Development a large role in enforcing the law. The Department of Justice litigates Fair Housing cases in court, while the Department of Housing and Urban Development investigates and attempts to resolve complaints of housing discrimination.

that handle housing discrimination or ask HUD. On the Internet, you can find a fair housing group in your area by visiting the National Fair Housing Advocate site: [www.fairhousing.com](http://www.fairhousing.com). Consult a Housing attorney for further support.

### ***Section V: Schools & Universities***

Title IV of the Civil Rights Act of 1964 prohibits discrimination in public schools because of your race, color, religion, sex or national origin. Public schools include elementary schools, secondary schools and public colleges and universities. Note Title VI of the Civil Rights Act of 1964 prohibits discrimination in all federally funded programs.

A teacher, principal or district cannot prohibit you or your daughter from wearing a headscarf to school. Nor are they permitted to take related disciplinary action. In August 2004, the United States Department of Justice (DOJ) warned against such hateful conduct in a letter to school officials while citing to a lawsuit it brought against a school district for prohibiting a student from wearing her headscarf in class. A copy of the DOJ's letter has been included in the guide's appendix for use when necessary.

Contact the local police department immediately by dialing 911 if you or your child is physically assaulted – this includes someone forcefully pulling off a headscarf – while on school grounds. File a criminal complaint against the assailant if his or her identity is known.

Register a complaint with your Principal or Dean if a schoolteacher or university professor makes an offensive and/or derogatory remark about you or your daughter's Hijab. School officials must also remedy a hostile educational environment created by biased statements or conduct by students or teachers about you or your child's religious beliefs and practices. You may file a discrimination complaint against elementary schools as well as colleges and universities within six (6) months of the alleged discrimination with the U.S. Department of Education online at <http://www.ed.gov/ocr/complaintprocess.html>. Ask a civil rights lawyer and/or advocacy group<sup>5</sup> for support and additional guidance.

### ***Section VI: Hate Crimes***

In 1992, Congress defined a "hate crime" as a crime in which *"a defendant's conduct was motivated by hatred, bias or prejudice, based on the actual or perceived religion, race, color, national origin, ethnicity, gender, sexual orientation or gender identity of another individual or group of individuals."* The Violent Crime Control and Law Enforcement Act included disability in 1994.

Hate crimes include intimidation, arson, assault and the destruction, damage or vandalism of property.

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<sup>5</sup> The American-Arab Anti Discrimination Committee has an excellent article on its website offering detailed advice on this subject: [www.adc.org](http://www.adc.org).

Many states have passed laws establishing harsher penalties for a number of crimes when they are also considered hate crimes<sup>6</sup>. Hate crimes are detected by eye witness reports of the crime, journals or records that might describe the hatred and contain plans for crimes to be committed against the targeted group. Religious epithets, slurs and vulgarities spoken at the time of the incident may also evidence a hate crime having occurred. In addition to reporting such crimes to local law enforcement officials, you should also notify the Federal Bureau of Investigations (FBI) field office in your area.

Dial 911 and file a criminal assault charge with your local police department if someone forcefully pulls off your headscarf or, alternatively, threatens to physically harm you because of your Hijab. Try to identify the perpetrator by appearance. Consult a civil rights lawyer and/or civil rights organizations for aid; where applicable, they will contact the local FBI field office to request the crime be investigated and prosecuted as a hate crime. The FBI is the federal government agency tasked with investigating alleged hate crimes.

### ***Section VII: Denial of Services and Other Discriminatory Conduct in Places of Public Accommodation***

Title II of the Civil Rights Act of 1964 prohibits discrimination on the basis of your race, color, religion or national origin in places of public accommodation.

It is illegal for any establishment that serves the public – such as, banks, supermarkets, hotels, gas stations, movie theaters, restaurants, department stores, taxi cabs, sports arenas, cafeterias – to discriminate against you because of your religion or Islamic appearance. Instances of public accommodation discrimination include: quoting a higher down payment required to purchase a car to Muslims; a bank providing poor customer service to Muslims while non-Muslims are assisted immediately and receive good customer service; a sports arena refusing admission to persons because they are Muslim; a department store's security personnel following a Muslim that is shopping, while other persons are not followed.

If you believe you are a victim of such discrimination, you should: keep a record of the incident, document the date, time, location and comments made to you, collect information and documentation, such as witnesses' names and telephone numbers to support your allegations. Speak with management about the incident and ask for a business card. File a public accommodations discrimination complaint promptly. To find the appropriate state agency with which to file your complaint, go to: <http://www.usdoj.gov/crt/legalinfo/stateandlocal.htm>.

Include the following information in your complaint: your name, address and daytime telephone number, the establishment's name and location, the offending individual's name and job title, the

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<sup>6</sup> The federal hate crimes law was passed in 1969 and can be found in Title 18 of the United States Code at Section 245(b). It protects religion, race and national origin and applies only to federally protected activities enumerated within the law.

date, time and place of the incident and a detailed summary of what transpired including offensive comments, conduct and/or the denial of service.

In your complaint, you should explain the basis on which you allege that you were discriminated against: race, color, religion, sex, national origin, etc. If a reason was given to you for the discriminatory act, state that reason. Also state all the facts that show illegal discrimination was the real reason for each act, such as comments, documents, or other factors. Be sure to include the names of any people who were treated better than you, and other relevant race, religion, sex, age, etc.

Contact a civil rights attorney and/or civil liberties group for additional support and guidance.

### ***Section VIII: Airplanes***

If you believe you were singled out while traveling on a commercial airline by airline officials at a U.S. airport because of your religion or Islamic appearance, lodge a complaint with the Department of Transportation's Air Consumer Protection Division by E-mailing [Airconsumer@dot.gov](mailto:Airconsumer@dot.gov) or calling (202) 366-5957/5945. Your complaint should include the following information: your name, address and daytime telephone number, the name of the airline or company about which you are complaining, and the flight date, flight number and origin and destination cities of your trip. A civil rights attorney and/or advocacy group may provide you with further assistance and counsel.

### ***Section IX: Finding a Lawyer***

The following website will assist you in locating an attorney in your area: <http://www.abanet.org/legalservices/findlegalhelp/home.cfm>. If you cannot afford to consult or retain private counsel this site can also guide you to a local Legal Aid or Legal Services office – these organizations provide free legal services to low-income individuals who request legal advice and counsel and/or direct representation in court.

You should also consult your local Muslim lawyers association and civil rights organizations for additional legal referrals and help. AMAL suggests contacting the following groups:

**The Association of Muslim American Lawyers**  
(For an attorney in the NY/NJ/CT/PA area, E-mail us at: [info@theamal.org](mailto:info@theamal.org))

**The National Association of Muslim Lawyers**  
(To request a legal referral *only*, E-mail: [info@namlnet.org](mailto:info@namlnet.org))

**The National Lawyers Guild National Office**

143 Madison Avenue, 4<sup>th</sup> Floor

New York, New York 10016

T: 212-679-5100

F: 212-679-2811

(For legal referrals *only*)

**The American Civil Liberties Union**

125 Broad Street, 18<sup>th</sup> Floor

New York, New York 10004

[www.aclu.org](http://www.aclu.org)

(To request legal assistance for government-related complaints *only*:

<http://www.aclu.org/contact/index.html>)

**The American-Arab Anti Discrimination Committee**

1732 Wisconsin Avenue, N.W.

Washington, D.C. 20007

T: 202-244-2990

F: 202-244-7968

[www.adc.org](http://www.adc.org)

**The Council on American-Islamic Relations**

453 New Jersey Avenue, S.E.

Washington, D.C. 20003-4034

T: 202-488-8787

F: 202-488-0833

[www.cair-net.org](http://www.cair-net.org)

**APPENDIX A:**

**U.S. DEPARTMENT OF JUSTICE LETTER DATED AUGUST 2004 REGARDING  
DISCRIMINATION IN SCHOOLS**



U. S. Department of Justice

Civil Rights Division

Office of the Assistant Attorney General

Washington, D.C. 20035

August 20, 2004

As a new school year begins, I write to raise with you an issue that the Civil Rights Division has taken steps to address. Specifically, we have seen several ugly and hateful incidents of violence and discrimination directed against Muslim, Arab, Sikh, and South-Asian students, motivated by religious or national origin intolerance.

Last year, for example, in Louisiana a high school world history teacher allegedly stripped a Muslim student's head scarf, or *hijab*, off her head, reportedly remarking: "I didn't know you had hair under there....I hope God punishes you. No, I'm sorry. I hope Allah punishes you." In California, a high school teacher allegedly grabbed a Sikh student's beard, pulled it, and accused him of being a member of the Taliban. And, in Oklahoma, the local public school district twice suspended a sixth-grade Muslim girl for wearing a *hijab*. Teachers there apparently expressed concern that the *hijab* would somehow "frighten" other children.

Following the tragic events of September 11, 2001, President George W. Bush visited the Islamic Center of Washington, D.C., to underscore a simple yet fundamental point: "America counts millions of Muslims amongst our citizens, and Muslims make an incredibly valuable contribution to our country. Muslims are doctors, lawyers, law professors, members of the military, entrepreneurs, shopkeepers, moms and dads. And they need to be treated with respect. In our anger and emotion, our fellow Americans must treat each other with respect."

No less is true for members of the Arab, South Asian, and Sikh-American communities. Again, in the President's words: "Those who feel like they can intimidate our fellow citizens to take out their anger don't represent the best of America, they represent the worst of humankind, and they should be ashamed of that kind of behavior."

Since September 11, 2001, the Civil Rights Division has investigated nearly 600 incidents of violence directed against Arab, Muslim, South Asian or Sikh-Americans. Over 140 of these incidents have resulted in local or state criminal prosecutions; nearly 20 have resulted in federal criminal prosecutions as well. We have, in addition, brought suit against a school district for prohibiting a student from wearing her *hijab*.

I do not mean to suggest that such practices are occurring at present in your state. Rather, I am writing to you, and to your colleagues in other states, to request assistance in letting school officials know that such practices are inconsistent with federal law and should not be tolerated.

As we approach the third anniversary of September 11, 2001, we must all recognize that our differences provide an invaluable opportunity for further education, and must not lead, rather, to greater separation. I thank you in advance for your leadership and assistance in addressing this issue.

Sincerely,

A handwritten signature in black ink, appearing to read 'R. Acosta', with a stylized flourish extending to the right.

R. Alexander Acosta  
Assistant Attorney General