





**PROGRESS**

# **in the Shadow of Prejudice**

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The Council on American-Islamic Relations (CAIR)  
**2023 Civil Rights Report**



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CAIR is America's largest Muslim civil liberties and advocacy organization. Its mission is to enhance the understanding of Islam, encourage dialogue, protect civil liberties, empower American-Muslims, and build coalitions that promote justice and mutual understanding.

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**ACKNOWLEDGMENTS:** This report was compiled by Research and Advocacy Director Corey Saylor and Research and Advocacy Coordinator Ammar Ansari. Ibrahim Hooper and Ismail Allison authored many of the news releases from which significant text in this is drawn. Similarly, the report draws from legal filings authored by Lena Masri, Gadier Abbas, Justin Sadowsky, and other CAIR legal staff. All text from previous CAIR documents is used with permission. We would like to thank Huzaifa Shahbaz, former Research and Advocacy Coordinator, for his contributions to this report. Jennifer McClucas copyedited the report. The following people compiled case data and other information for this report: Ahmad Kaki (National), Ahmed Mohamed (New York), Timothy Welbeck (Philadelphia), Amr Shabaik (Greater Los Angeles), Amy Doukoure (Michigan), Areege Hammad (Ohio), Barbara Dougan (Massachusetts), Brittney Rezaei (San Francisco Bay Area), Christine Mohamed (Pittsburgh), Claudia Linares (Sacramento Valley & Central California), Donald Simmons (Minnesota), Dyaa Terpstra (New Jersey), Jim Maher (Washington State), Layli Shirani (Sacramento Valley & Central California), Omar Saleh (Florida), Phillip Robertson (Illinois), Raniah El-Gendi (Florida), Sarah Mazouz (Ohio), Silvia Nagi (Florida), Veronica Laizure (Oklahoma), William White (Texas), and Zainab Chaudry (Maryland).

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## Executive Summary

### **In 2022, CAIR received a total of 5,156 complaints nationwide.**

In 2022, CAIR received a total of **5,156** complaints nationwide. This is a **23 percent decrease** in total complaints since the **6,720 complaints CAIR received in 2021**. Domestic politics have been less volatile over the last couple of years. Less volatility may have contributed to a reduction in the number of complaints. We note that complaints about law enforcement and government overreach dropped by **38 percent**. At the same time, complaints about school incidents increased by **63 percent**.

Until **January 6, 2021**, white supremacists and antigovernment groups enjoyed political cover. Since then, federal assets appear to have shifted to these threats instead of anti-Muslim fishing expeditions. Drops in complaints about law enforcement and government overreach could reflect this change.

Regardless of the total number of complaints, the human experience of being subjected to hate remains chilling. The case studies section of this report provides examples of the effects of Islamophobia on the lived experiences of American Muslims and efforts to secure justice for them.

The special sections present our legal work helping Muslim plaintiffs pursue religious discrimination claims following FBI surveillance and upholding free speech protections for supporters of the Boycott, Divestment and Sanctions (BDS) Movement. We examine how the government continues its gymnastics to avoid supporting its own watch listing designations. We report on developments in the Banking While Muslim phenomenon and a challenge to secret harvesting of the location data of Muslims from apps. We describe some of our work that ensured freedom of faith for Muslim inmates. We outline key revelations surrounding an anti-Muslim hate group paying for spies in U.S. Muslim institutions. Finally, we detail how Ohio and Maryland enshrined Muslim women's sports inclusion into law.

**Securing future declines has never been more urgent. Expanded protections for all those confronted by bigotry requires that we now double down our efforts to advocate, legislate, and litigate to secure progress against prejudice.**

One year of declining cases is not a problem solved; it's a glimmer of hope. Securing future declines has never been more urgent. Expanded protections for all those confronted by bigotry requires that we now double down our efforts to advocate, legislate, and litigate to secure progress against prejudice. With this in mind we offer recommendations. We believe that the U.S. government should tie police funding to submission of hate crimes data. We assert that banks should end the wrongful targeting of American Muslim, Arab, and Persian families. We think that states should take action to enshrine religious sports attire inclusion in law. We also continue to urge the Department of Justice to investigate an anti-Muslim hate group that paid informants to **spy on U.S Muslim institutions**.

The election of **189 elected officials** who identify as **Muslim across 30 states** to public office during the **2022 midterm** is a welcome sign of American Muslims' expanding ability to guarantee equal social opportunities and equal protection under the law, both for themselves and others. In Ohio and Maryland, youth athletes decided to speak up after school officials denied them the opportunity to participate in sports. In both states, there are now laws protecting future athletes.

At the same time, **2022** offered plentiful evidence that even without high-profile politicians vilifying Muslims for personal political gain, the characteristic of being Muslim continues to function as a prejudice magnet.



Source: CAIR



## **CAIR dedicates this report to the first Muslim judge in American history.**

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This report is dedicated to the Honorable Adam Shakoor who passed in 2022. Shakoor was the first Muslim judge in American history. From February to September 1981, Judge Shakoor served as Trial Judge and Presiding Judge of the Real Estate Division at the Wayne County Common Pleas Court in Michigan. Governor William Milliken appointed him Presiding Judge and Chief Judge on the 36th District Court that same year. From 1989 to 1993, Shakoor served as deputy mayor for Detroit making him the first Muslim deputy mayor in the city's history. He also served as the personal attorney for civil rights icon Rosa Parks from 1995 until her passing in 2005.



Credit: [www.detroit.muslimarc.org](http://www.detroit.muslimarc.org)

## Data Findings

1. CAIR received 5,156 complaints nationwide.
2. The number of complaints in 2022 is a 23 percent decrease in total complaints since the 6,720 complaints CAIR received in 2021.
3. This decline is the sharpest single year change since the 32 percent increase we recorded in the first year of Donald Trump's presidency.
4. At 1,207, immigration and asylum cases topped the types of complaints in 2022. While Donald Trump's Muslim and Africa bans were repealed at the start of the Biden presidency, many family tragedies and legal battles emerging from those discriminatory policies continue. At the same time, the U.S. withdrawal from Afghanistan in 2021 also continues to drive these types of cases.
5. Employment discrimination (563 complaints), incarcerated rights (310 complaints), and education discrimination (171 complaints) rounded out the top complaint types.<sup>1</sup>
6. CAIR's complaint categories changed last year. We can still draw some trend insights where the categories capture the same information. We note that complaints about law enforcement and government overreach dropped by 38 percent. At the same time, complaints about school incidents increased by 63 percent.<sup>2</sup>

CAIR expresses a sense of optimism at this drop in nationwide complaints. We hope that 2022 will establish a trend, but that remains to be seen.





## Observations on the Data Findings

**Domestic politics have been less volatile over the last couple of years. Less volatility may contribute to a reduction in the number of overall complaints.** In 2013, former Executive Director of the Gallup Center for Muslim Studies Dalia Mogahed wrote, “levels of anti-Muslim sentiment [follow trends in domestic U.S. politics](#), not international terrorism.” The 2010 midterm election provided a stark example of her observation. CAIR previously reported, “The Park 51 community center [in New York] was recast by Pamela Geller, founder of Stop the Islamization of America, as the ‘Ground Zero Mosque’ and was an instrumental tool in the efforts of Tea Party and Republican activists to reshape the [2010 mid-term] debate into one focused on national security issues.”<sup>3</sup> Another example is the Muslim ban proposal that emerged in December 2015 from then presidential candidate Donald Trump’s campaign. Since the 5,156 cases represent the lowest number of complaints since 2016, the last year of the Obama Administration and the year following Donald Trump’s Muslim Ban policy proposal, this report can be seen as a return to a pre-Trump Administration baseline, a positive sign but a baseline still very high up a mountain of bias.



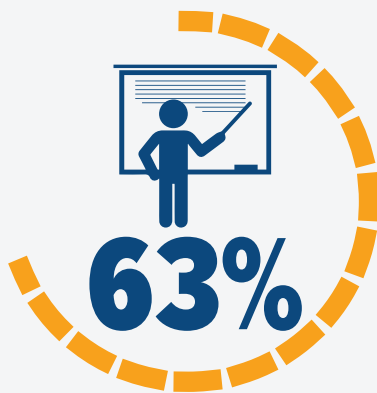




CONGRESSIONAL AUDITORIUM

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**Problems are manifesting in educational settings; solutions are coming from emerging leaders.** The 63 percent jump in cases related to educational settings is disturbing. This jump may be in part related to a return to in-person schooling. At the same time, later in this report we detail laws enacted in Maryland and Ohio permitting athletes to wear religious attire. Both of those laws are the result of young leaders standing up for their beliefs.



**The 63 percent jump in cases related to educational settings is disturbing.**

**Until January 6, 2021, white supremacists and antigovernment groups enjoyed political cover. Since then, federal assets appear to have shifted to these threats instead of anti-Muslim fishing expeditions. Drops in complaints about law enforcement and government overreach could reflect this change.**

For years, white supremacists and antigovernment groups enjoyed political cover. CAIR's reported drop in complaints involving government entities may indicate that the January 6<sup>th</sup> insurrection and its aftermath are

reducing the fishing expeditions targeting law-abiding American Muslims.

A 2009 Department of Homeland Security report suggesting far-right groups were seeking to recruit members of the U.S. military serves as an example of the pattern of political cover we have long observed. Then DHS analyst Daryl Johnson issued a report [warning about the resurgence and rising threat of white supremacists and violent antigovernment groups](#). Congressional Republicans torched him. DHS disavowed the report. He left his job. His team was "dissolved."

According to Johnson, a result of this GOP-driven backlash was DHS "[screening for politically sensitive phrases or topics that might be objectionable to certain groups](#)."

By 2011, Washington Post reporter R. Jeffrey Smith noted that DHS, "[cut the number of personnel studying domestic terrorism unrelated to Islam](#)." Smith added, "Multiple current and former law enforcement officials who have regularly viewed DHS analyses said the department had not reported in depth on any domestic extremist groups since 2009." Smith also noted that "as many as 40 analysts" focused on Al-Qaeda and their ideological allies. In 2012, Wired journalist Spencer Ackerman reported that DHS had a [single analyst tasked](#) with tracking all viewed domestic non-Islamic extremism.<sup>4</sup>

So, while analysts at DHS and the Department of Justice were aware of the threat, political correctness ensured that focusing on threats unrelated to Islam had career implications.

The political cover reached a pinnacle in the Trump Administration. In 2017, Trump characterized participants in a large, antisemitic white supremacist rally as “very fine people.” By 2020, he was talking directly to the Proud Boys, a group whose participation in the January 6<sup>th</sup> insurrection is well documented, from the presidential debate stage.

On January 6, 2021, the Oath Keepers and Proud Boys participated in the attack on the U.S. Capitol. In many ways, the political cover was lifted.

This cover has had real world impact on law-abiding Muslims.

The Obama Administration’s Muslim-centric Countering Violent Extremism (CVE) programs subjected Americans of the Islamic faith to unequal and stigmatizing treatment. The programs [often relied on subjective measures](#). A May 2014 National Counterterrorism Center (NCTC) document noted that the impact of CVE programs was “not easy to quantify.” After making this qualification, the document’s authors offered a scoring system for measuring an individual’s susceptibility to violent extremism. These included measures such as “Presence of Emotional or Verbal Conflict in Family” and “Talk of Harming Self or Others.” These measures likely encompass most American families at some point, rendering them nearly useless for the stated goal.

Observations of how political cover manifested in the real world were reflected [in a 2015 letter led by the Brennan Center for Justice at NYU Law School](#): “CVE programs have almost exclusively targeted American

Muslim communities, often while explicitly acknowledging that acts of domestic terrorism have emanated from many ideological sources.”

The phenomenon is also on display in the lists used to determine if Americans can travel. On Friday, January 20, 2023, a Swiss hacker that goes by the moniker “maia” reportedly gained access to copies of the No-Fly List and Selectee List. These two lists are subsets of what is colloquially known as the terror watchlist and what the FBI has called Terrorist Screening Data Set.

CAIR attorneys have obtained copies of the lists. Their contents confirm what many in the Muslim community long suspected: the FBI’s secret lists comprise a vast Muslim registry deployed against Muslims all over the world. The FBI disseminates various lists to tens of thousands of law enforcement agencies, hundreds of private companies, and more than 60 foreign governments. “Even a cursory review of the lists show they are both almost entirely lists of Arabic and Muslim names.

Children who were at most 10 years old at the time are on the No-Fly List. A then 7-year-old is on the Selectee list,” said CAIR Trial Attorney Justin Sadowsky.

It is important to note that expanding CVE programs and the watchlist does not fix the numerous problems associated with them. Our intent here is simply to illustrate how a political climate that favored the targeting of Muslims has had tangible impacts on people’s lives.



## Complaint Categories

CAIR staff nationwide use the following definitions to categorize the incidents that are being reported to them. The types and definitions changed from our last civil rights report, which was published in 2022.

**Airline Discrimination:** Incidents involving travelers and passengers that are not initiated by government agencies. This type of discrimination can include an airline pilot having passengers removed from a flight for speaking a non-English language or because of their religious clothing. It also includes passengers being removed after being harassed by other passengers. If the community member is an employee of the airline and performing their work duties, then the incident is classified as Employment Discrimination.

**Banking Discrimination:** Banking-specific discrimination based on perceived identity/ social class such as religion, race, ethnicity, or disability. This type of discrimination may result in an individual's bank account or credit being closed for unexplained reasons. It includes peer-to-peer payment apps such as Venmo, CashApp, and Zelle and money transfer services like Western Union.

**Bullying:** Sustained abusive treatment in a K-12 or higher education setting such as physical force, hurtful teasing, and intimidation leveled at someone with relatively less social power by someone with relatively more.

**Denial of Service:** Discrimination by a place of business open to the public, like a restaurant or store, that denies service to an individual. This type of discrimination could include, for

example, refusing to serve someone wearing hijab or denying them access to a bathroom.

**Education Discrimination:** Islamophobic school curriculum, failure to accommodate a reasonable religious request, and holiday denials in a K-12 or higher education setting. Does not include instances of Bullying or instances involving Sports Discrimination.



Source: CAIR

**Employment Discrimination:** Discrimination by an employer based on age, race, sex, religion, national origin, physical/mental disability, or gender. Examples of employment discrimination cases include an employer refusing to allow an individual to pray or undertake another religious practice, an employer creating or fostering a hostile work environment that targets an individual based on their ethnicity, race, or religion, or terminating or otherwise taking action against an individual because of their ethnicity, race, or religion.

**Family Law Discrimination:** Discrimination based on perceived identity/social class such as religion, race, ethnicity, or disability in family law proceedings. This type of discrimination may include being treated unfairly in custody or divorce proceedings.

**FBI Interrogation:** An FBI agent approaches an individual and conducts, or attempts to conduct, an interview. FBI agents commonly approach individuals at work, school, or their home. The individual who has been approached may not know why the FBI is interested in speaking with them.

**First Amendment/BDS:** Violations of an individual's right to free speech and expression, frequently as it relates to the international Boycott Divest and Sanction (BDS) Movement. Violations may include being required to denounce the BDS movement as part of a contract with the state. Other examples may include violations of an individual's right to practice and express their religion in public, including the right to wear hijab or other religious clothing.

**Hate Crime/Hate Incident:** A crime committed against someone based on perceived identity/social class such as religion, race, ethnicity, or disability. This type of crime can include violent assault, harassment, and threats. It also includes verbal harassment such as a person entering a mall and being called a "terrorist" or told to go back home, other non-criminal acts of hate, and mosque vandalism.

**Healthcare Discrimination:** Denial of access to healthcare based on perceived identity/social class such as religion, race, ethnicity, or disability. This type of discrimination may include outright refusal to treat a patient, but also other poor treatment, like dismissal of patient's symptoms, assumptions about a patient's health based on perceived identity, or refusal to provide care in a patient's preferred language.

**Housing Discrimination:** Denial of access to housing based on perceived identity/social class such as religion, race, ethnicity, or disability. This type of discrimination may include a landlord or listing agent's refusal to rent to an individual, charging them higher fees, or refusal to show properties to tenants based on perceived identity.

**Incarcerees Rights:** Violations of a prisoner's rights to personal property, privacy, mail, civil rights, and constitutional rights. An incarcerated person has the right to practice their religion in prison. Examples of common violations of a prisoner's right to practice their religion include a prison's refusal to provide halal/kosher meals upon request, refusal to allow a prisoner to pray Friday prayer, refusal to provide religious materials like a Quran or prayer rug, and refusal to allow a prisoner to wear religious



clothing like hijab or kufi. Also includes women being denied wearing hijab by law enforcement, not while incarcerated but while being arrested or during mugshot pictures.

**Immigration/Asylum:** Immigration is the process of an individual who wants to leave their current country of residence and live permanently elsewhere. Asylum is a protection grantable to foreign nationals who meet the legal definition of a “refugee.” For those fleeing persecution, violence, war, or famine, they may seek asylum in another country for safety. Depending on the country of origin, cases can get delayed or intentionally stalled for the fear of the individual being a “terrorist” or involved in “terrorist activities.”

**Law Enforcement Encounter:** Excessive use of force by local, state, or federal law enforcement against an individual, such as beating, shooting, improper takedowns, and unwarranted use of tasers. Also includes community members otherwise appearing to be inappropriately targeted by law enforcement, includes overseas questioning. It does not include FBI interrogations or incarceree rights.

**Other Discrimination:** Any other mistreatment of an individual based on their ethnicity, race, religion, disability, sex, gender, or other characteristic or perceived characteristic not already mentioned by a non-government entity. It does not include other government discrimination.

**Other Government Discrimination:** Incidents involving discrimination by a local, state, or federal entity, but not covered by other categories.

**Out of Scope:** Anything outside the parameters of our work and mission.

**Sports Discrimination:** Incidents involving an individual participating in organized sports. Examples include inappropriate use of ethnic clothing, chanting slurs, failure to accommodate reasonable religious requests such as wearing a headscarf or allowing players to hydrate at sunset during Ramadan.

**Watchlist/Travel: Placement of an individual, group, or family on the U.S. Terrorist Watchlist Screening (aka watchlist). The government does not provide reasons and documentation to the individual(s) involved.**

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**Watchlist/Travel:** Placement of an individual, group, or family on the U.S. Terrorist Watchlist Screening (aka watchlist). The government does not provide reasons and documentation to the individual(s) involved. Individuals are often placed on a watchlist after international travel to Muslim-majority countries. Indicators of watchlist placement include “SSSS” printed on a boarding pass, excessive screening and searching, being pulled to an office/area of airport and asked a series of questions, and other indicators that someone is being singled out by officers. This can include improper questioning, secondary screening, or denial of boarding irrespective of immigration status. This category does not include airline discrimination.

## Lived Experiences of Islamophobia

This section provides examples of the effects of Islamophobia on the lived experiences of American Muslims and efforts to secure justice for them. These anecdotes are the human face of the data presented earlier. All incidents occurred or reflect key actions taken in 2022. Litigation can require years to resolve. This section contains sensitive material that some people may find disturbing including violence and harassment.

### Airline Discrimination

**Washington:** [CAIR filed a lawsuit against Alaska Airlines](#) on behalf of two Muslim men alleging that they were removed from a 2020 flight for communicating in Arabic. The lawsuit came after the airline committed to an internal review of the incident, then never followed up with the men. Both men were in First Class and were ordered to deplane after other passengers raised concerns over their Arabic language text messages. According to the lawsuit, other passengers were also deplaned while the men were publicly questioned at the gate. An airline staffer who speaks Arabic and read the messages did not see them as threatening. Despite this the airline made the men [“go through airport screening again before putting them on separate flights hours later.”](#)<sup>5</sup>



Source: CAIR

## Anti-Mosque Incidents

**Iowa:** Security cameras at Al Noor Islamic Community Center recorded a woman using snow to draw crosses on the facility. [Later she used an unidentified substance](#) to write “F— Islam” and “F— Muslims” and appeared to take photos of the vandalism.<sup>6</sup>

**Michigan:** A judge ruled that the City of Troy’s previous denial of the [Adam Community Center’s](#) 2018 request for a zoning variance violated federal law. Granting the variance would have resulted in the city’s first ever mosque. In 2018, Adam filed a lawsuit against Troy alleging that Troy’s zoning ordinance violated provisions of the Religious Land Use and Institutionalized Persons Act (RLUIPA) and the U.S. Constitution. The suit also claims that the application of its zoning ordinance against Adam treated Adam differently than other religious and non-religious assemblies. In 2019, the Department of Justice filed a companion lawsuit against Troy on Adam’s behalf alleging the same violations of RLUIPA as the 2018 lawsuit filed by the community. In March 2022, the judge presiding over the case issued an opinion and order in favor of the Department of Justice and against Troy in the companion case and ordered that everyone attempt to resolve the outstanding issues involved in Adam’s lawsuit against the city. After several rounds of mediation, the city issued a certificate of occupancy to the community. Adam opened its doors in a ribbon cutting ceremony attended by more than 150 community members and religious leaders as well as the Mayor of Troy and other city council members. Despite Adam opening its doors for religious worship on September 2, 2022, the lawsuit they filed against the city remains ongoing.<sup>7</sup>

**“Hopefully, this decision will push the city to resolve the remaining legal claims, make Adam Community Center whole and put an end to the time when Troy fought to keep Muslims out of their city.” - CAIR-MI Staff Attorney Amy V. Doukoure**

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**Missouri:** Nicholas John Proffitt pled guilty to hate crime and arson charges for setting fire to the [Cape Girardeau Islamic Center on April 24, 2020](#). About a dozen people were inside the mosque at the time but escaped unharmed. The fire made the building unsuitable for use.<sup>8</sup>

**New Jersey:** A truck rigged to display digital billboards with “[images seemingly blaming Muslims for a 2008 attack in Mumbai, India](#),” was recorded on the property of both the Muslim Center of Middlesex County and the New Brunswick Islamic Center. In New Brunswick a woman got out of the truck and seemed to take pictures documenting the truck’s presence directly in front of the mosque. CAIR-NJ confirmed that the truck visited four mosques and then aided in



documenting the bias incident reporting.<sup>9</sup> Shortly after a CAIR-led press conference on the issue, [Governor Phil Murphy tweeted](#), “I stand with our Muslim community and condemn this horrible act of bigotry.”<sup>10</sup>

**New York:** Police officers allege that William Putnam [threatened congregants of the Islamic Center of Rochester](#). In a message left on the center’s voicemail, Putnam reportedly said, “I’m coming to your office with a few friends. We all have shotguns. We are walking into your front door, and we are going to shoot everybody that’s on the phone in the

[expletive] head. How do you like that? That’s what’s going coming [sic] your way very soon, you scumbag foreigner piece of [expletive].”<sup>11</sup>

**New York:** Two men firebombed an Islamic symbol outside Ronkonkoma’s Masjid Fatima Al-Zahra Mosque. The crescent, sometimes viewed as a symbol of Islam, suffered extensive burn marks after “[a device similar to a Molotov cocktail exploded](#)” against it.<sup>12</sup> [News 12 Long Island](#) reported that “Suffolk County Police Commissioner Rodney Harrison called the incident at the mosque a ‘hate crime.’”<sup>13</sup>



Source: CAIR-FL  
<https://www.craft.do/s/sDaVFRFRfFebxGt>

## Bullying

**Delaware:** A [student at Central Middle School in Dover](#) wore a religious head covering to class for the first time during Ramadan. The student told local TV outlet WPVI, “...that one of her teachers told her, ‘I was too skinny to fast. And if I fasted more, he’s not going to see me in class. And the kids, the boys were laughing.’ In a separate incident the student reported that another teacher, “...said, ‘Sub-Zero, your mom’s here.’ I said, ‘Why do you keep calling me that?’ He said, ‘Cause that thing on your head makes you look like Sub-Zero,’ and then everybody started laughing.”<sup>14</sup>

**Florida:** A video was posted to TikTok of young Muslims praying in a room at Franklin Academy in Pembroke Pines and being subjected to discriminatory behavior by a teacher. [Local 10 News reported](#) that in the video, “...you can hear the teacher saying, ‘Hold on, this is my office and y’all doing this magic?’ Local 10 goes on to note, “The teacher is then heard saying, ‘I believe in Jesus, so I’m interrupting the floor.’ The same teacher appeared to step on or kick the boys’ hands as she walked over their mats.” Franklin Academy fired the teacher.<sup>15</sup>

**Maryland:** An Afghan Muslim student was subjected to a violent attack during which a school employee allegedly locked the student inside a bathroom as other students beat her, forcibly removed her hijab, and attempted to choke her with it. This ordeal left the ninth grader with substantial physical and psychological trauma. Imaging obtained during a Baltimore area emergency room visit over one week after the incident revealed that she still suffered from a serious concussion.

The employee reportedly involved in the incident has since been terminated from the school system.<sup>16</sup> CAIR later filed a complaint with the federal government’s Office of Civil Rights at the Department of Education against Baltimore’s Academy for College & Career Exploration alleging that school officials did not successfully prevent further incidents of bullying—both by staff and students.<sup>17</sup> Because of the ongoing incidents, the family pulled their children from school and sought a transfer to a different school.

## Denial of Service

**Massachusetts:** A Muslim woman alleges that in 2021, McDonald’s employees intentionally put large amount of bacon on a Fish-o-Filet sandwich she ordered, according to a 2022 complaint filed at the Massachusetts Commission Against Discrimination. According to an [AP news article](#), the mother, who appeared visibly Muslim, clarified her request for a “plain sandwich” with a McDonald’s employee and asked her son to repeat the request. The incident made one of the children asked their mother if “they hate us.” “Anti-Muslim bias takes many forms,” said CAIR-MA Legal Director Barbara J. Dougan, who represents the family. “But you can’t go much lower than tampering with the food of a young child.”



## Education Discrimination

**California:** A high school freshman was discriminated against by her PE teacher after requesting religious accommodations. In the first incident, the student and her parents requested that she be excused from swimming class due to her religious belief in modesty and not wearing revealing clothing. Instead of engaging in a good-faith discussion regarding the request, the student's PE teacher intimidated the student and proceeded to have her pretend to swim on a yoga mat outside of the pool. This led to mocking and bullying from other students. In Ramadan of 2022, the student requested accommodation for her running assignment given that she was fasting, and the physical exertion would be difficult for her. Again, the PE teacher was rude and dismissive of the student's request. As a result of not having accommodation, the student's grade was negatively impacted. CAIR-LA sent a letter to the school and district regarding the student's rights and the school's responsibility to accommodate the student. As a result of the letter, the district investigated. The school ultimately provided the student with an opportunity to make up the runs and improved her grade. The district also committed to district-wide training on how to best accommodate student requests for religious accommodation in PE.

**Tennessee:** House Speaker Cameron Sexton re-appointed anti-Muslim activist and possible 9/11 truther Laurie Cardoza-Moore to Tennessee's Textbook and Instructional Materials Quality Commission, 16-member commission overseeing Tennessee's list of textbooks and other educational materials recommended for use by public schools.

[In questioning by lawmakers for her initial appointment](#) to the commission, Sen. Raumesh Akbari cited a textbook review in which Cardoza-Moore participated that seemed to promote the 9/11 truther hoax. In responding to another question, Cardoza-Moore stood by her false 2010 statement that a mosque in Murfreesboro, Tenn., was a "terrorist training camp."<sup>18</sup> In a statement, CAIR National Deputy Director Edward Ahmed Mitchell said: "Laurie Cardoza-Moore, a conspiracy theorist whose anti-Muslim rhetoric has endangered Tennessee families, has no business serving on any government commission, especially one that can influence what students read in their textbooks."

[CAIR National Deputy Director Edward Ahmed Mitchell said: "Laurie Cardoza-Moore, a conspiracy theorist whose anti-Muslim rhetoric has endangered Tennessee families...."](#)

**Massachusetts:** A prominent charter school deemed a Muslim student's hijab a uniform infraction. In the infraction notice from the school, the term is spelled as "jihab." Although the student was allowed to return to class wearing her hijab, CAIR-Massachusetts is negotiating on behalf of the student for a permanent change in the dress code policy so that families are not required to seek accommodation in the first place. In 2022, the Massachusetts legislature amended its anti-discrimination laws to include discrimination on the basis of hairstyle in response to a 2017 incident at the same school where two sisters were disciplined for violating the dress code by wearing braids with extensions.



## Employment Discrimination

**Michigan:** Jalal Muflihi, a Yemeni American Muslim man, alleged for nearly a year that his supervisor at U.S. Steel's Great Lakes Works location had been singling him out for discipline and unfair treatment based on his national origin and religion. After filing several complaints with his union and directly through U.S. Steel's internal civil rights department, Muflihi received no relief. He believes that because of his complaints related to his discriminatory treatment, he was subjected to unfair disciplinary action and was terminated. Muflihi obtained several letters of support as evidence of the alleged unfair treatment by his supervisor.<sup>19</sup> CAIR-Michigan filed a lawsuit on Muflihi's behalf. Prior to filing suit, Muflihi and CAIR-MI unsuccessfully reached out to U.S. Steel in an attempt to resolve this matter.

**Pennsylvania:** CAIR-Philadelphia filed a federal charge of discrimination with the Equal Employment Opportunity Commission (EEOC) against a prestigious private school in the Philadelphia area on behalf of a client who is a Palestinian-American Muslim athletic trainer. The charge alleges the athletic trainer was terminated from her position based on a misleading profile created by an anti-Palestinian, Islamophobic organization that routinely smears the reputation of Muslims. The client, a Palestinian Muslim woman, was recruited by the school and ultimately received an offer for employment to join its staff as a full-time certified athletic trainer. Prior to joining the school, she successfully completed and passed multiple screenings, including a general and criminal background check, education and employment verification, employment recommendations and other screenings.<sup>20</sup>

**Pennsylvania:** CAIR-Philadelphia is representing eight Afghan translators who were allegedly fired from their positions while providing translation services at the airport because they were speaking Pashto among themselves. These translators worked for an agency who contracted with the government during the fall of 2021 when the City of Philadelphia and Philadelphia International Airport (PHL) coordinated with the federal government's Operation Allies Welcome, which provided a point-of-entry location for refugees evacuated from Afghanistan. These Philadelphia-area Afghan translators spoke Farsi and Pashto/Dari and began working with the agency to support the needs of the federal government to assist in the airlift operations emanating out of Afghanistan during the time period. After a meeting between management and employees on or about several weeks after they began their work, some of them debriefed among themselves privately and in Pashto. One of their supervisors overheard this conversation and said it violated company policy of only speaking English except for during translations. The following day, the agency terminated the translators for speaking Pashto. This termination is a form of unlawful ethnic-based discrimination. The translators note they were humiliated by being removed from the PHL while trying to serve their fellow Afghans.

**Washington:** On two separate occasions, Washington State Patrol denied a Muslim patrol trooper's requests for religious accommodation. Alishan Nomani wanted to have a beard in accordance with his sincerely held religious beliefs. CAIR-Washington worked with Trooper Nomani to develop a revised accommodation request highlighting the trend of police agencies across the country allowing their officers to wear a beard for religious purposes. The accommodation was granted in 2022. Trooper Nomani is the first Washington State Patrol trooper to wear a beard.



Source: CAIR-WA

## Hate Crime/Hate Incidents

**California:** Alleged assailants reportedly grabbed protest signs and physically and verbally harassed a group of people protesting the persecution of religious minorities and caste discrimination in India at La Palma Park in Anaheim. One of those shown allegedly harassing the protesters shouts “stupid Muslims, get out.” LA Times journalist Jeong Park [posted video footage of the incident](#).<sup>21</sup>

**Florida:** Victor Dubauskas was [charged with battery and assault](#) after verbally harassing a Muslim man and then pouring beer over the man's head.<sup>23</sup> According to the [Orange County arrest affidavit](#) Dubauskas stated, “I have issue with the Muslims sitting outside,” then poured beer before throwing the glass bottle in the direction of a Muslim coffee shop patron. He then reportedly told a group of Muslim patrons sitting outside the shop that he was “going to return and kill all Muslims” where the assault and battery occurred.<sup>24</sup> Dubauskas was arrested by the Orange County Sheriff and charged with assault and battery. The battery charge was later amended to add evidence of prejudice.

**Georgia:** Larry Edward Foxworth pleaded guilty in federal court to hate crime charges for shooting at two convenience stores in Clayton County. Foxworth was reportedly trying to kill Black people and individuals he perceived to be Arab. No one was killed or injured in the attacks. According to [the Clayton News-Daily](#), “Foxworth expressed hope that he had killed his targets and professed beliefs in white supremacist ideology and an allegiance to a white supremacist organization.”<sup>25</sup>

**Illinois:** [A racist display was allegedly part of a family-friendly Independence Day event.](#)

The display promoted by the Lake Bluff Lawn Mower Precision Drill Team allegedly had several members dressed up as Arab sheikhs handing out gold-foiled chocolate coins, reinforcing an Orientalist stereotype about Arabs as greedy and controlling.<sup>26</sup> The team has a previous history of promoting offensive caricatures in parades, including blackface in 2015.<sup>27</sup>

**Maryland:** A district court judge ruled in favor of an Iranian Muslim family reportedly harassed by a neighbor in a disturbing, years-long pattern of apparently bias-motivated incidents. The family reported to CAIR that on the evening of November 6, 2021, an adult male relative was physically and verbally assaulted by their neighbor while leaving the family's home in Anne Arundel County. He sustained injuries in the attack which required immediate medical attention and for which the paramedics were called to the scene. According to the Muslim family, the neighbor has yelled slurs at them such as "f\*\*\*\* Muslims," "f\*\*\*\* Iranians," and "Go back home." The family has also notified police of property damage to their home and vehicles in multiple incidents. At least one family member who resides at the home wears hijab, or Islamic headscarf, and is visibly Muslim. The family told CAIR that the pattern of harassment has been ongoing since 2017.

**Massachusetts:** The Middlesex District Attorney's office and police are investigating allegations that a woman accosted Melrose City Councilor-at-Large Maya Jamaledine and her family members at a Shell gas station. Jamaledine is [the first Muslim elected to public office in Melrose and the first to wear](#)

[hijab.](#) Councilor Jamaledine says she [first interacted with the woman](#) to advise her about a problem with her car. The woman allegedly yelled numerous Islamophobic comments at the councilor, including "terrorist" and "go back to your own country." When the councilor's husband confronted the woman for her remarks, the woman allegedly shoved him away in order to photograph their car. Inside, their children were frightened and [bystanders came up to comfort the family.](#)<sup>28</sup> [The Mayor of the City of Melrose has called the incident "a hateful act against the City Councilor."](#)<sup>29</sup>

CAIR-MA represents Councilor Jamaledine and has met with police and prosecutors to recommend appropriate criminal charges.

**Maine:** The neo-Nazi Nationalist Social Club-131 reportedly turned out about two dozen people for a march in Lewiston against Somali immigrants. March participants [held signs targeting members of the Somali community.](#) Lewiston's city council later passed a resolution that condemned white supremacy "and all others who seek to spread hatred, dehumanize our residents, and intimidate and threaten our community."<sup>30</sup>



Source: Image created with 3D render

**New Jersey:** A Hudson County couple were “[convicted of making anti-Muslim threats](#) and harassing a neighbor over a three-year period.” The couple made threatening remarks to the neighbor on the basis of his perceived religion on several occasions from between 2016 and 2018. One occasion, the husband reportedly made gun gestures with his fingers at the neighbor and his three- and seven-year-old children and then ran his finger in a slashing motion across his throat. The couple were initially arrested in 2018 and were scheduled to be sentenced in June.<sup>31</sup>

**On one occasion, the husband reportedly made gun gestures with his fingers at the neighbor and his three and seven-year-old children and then ran his finger in a slashing motion across his throat.**

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**New Jersey:** Two 13- and 15-year-old hijab-wearing sisters were verbally and physically assaulted by another customer while waiting to be serviced at a local nail salon in Clifton. As they waited for service, [Nancy Jones](#), a 59-year old white woman who was also a customer, allegedly yelled at them for “staring at her.” The sisters tried to avoid her taunts by looking at their phones, but Jones continued

yelling profanities. Before storming out, Jones told the sisters to “go back to your f-ing country” and that they “don’t belong here.”<sup>32</sup> Jones is reported to have struck the “[13-year-old girl on her head](#).” She also verbally berated another woman, whom she assumed was their mother. Using surveillance video to track her car, a warrant was issued for Jones’ arrest. She turned herself in on May 25th, 2022. Jones was released by the judge on non-monetary conditions the next day. The two sisters’ mother decided to give Jones the opportunity to learn from her mistake rather than be sent to jail.<sup>33</sup> In November 2022, Jones’ public defender applied for pre-trial intervention.

**New York:** Riggs Kwong, an off-duty NYPD officer, yelled “Al Qaeda,” “terrorist,” and “ISIS” at a middle eastern man [according to news reports](#). Kwong also beat the man and was later charged with a hate crime. Kwong was ultimately fired, and a department spokesperson said the termination was related to the incident.<sup>34</sup>

**New York:** Hate crime charges were brought against a man who reportedly made racist anti-Arab comments to two men before allegedly [trying to ram one of them with his car](#). The suspect, a 55-year-old Hauppauge native, allegedly made anti-Arab comments directed at two men in the parking lot of the Smith Haven Shopping Center in Lake Grove. The man then reportedly drove his car toward one of the men, who was able to dodge it. When one of the victims entered his own vehicle, the perpetrator reportedly drove at it as well but did not strike it. The perpetrator is also said to have made anti-Arab comments to others at the shopping center before the incident.<sup>35</sup>

**North Carolina:** The Transylvania County Sheriff's Office apologized for its use of a stereotypical image of a man wearing a Palestinian headscarf (keffiyeh) and holding an AK-47-style in an active shooter training for public school students and staff. The image was used during a training held by the Transylvania Sheriff's Office at Rosman Middle and Rosman High School "for any kind of active threat," including the "threat of a gunman." [In an email to VICE News](#), Transylvania County Sheriff David Mahoney said the image was donated by a local gun range.<sup>36</sup>

**Washington:** [Hate crime charges were brought](#) against two teens suspected of assaulting a 13-year-old Muslim boy in Lynwood. The charges allege that on November 6, 2021, the two teens assaulted the victim for an hour, reportedly dragging the 13-year-old to different locations by his shirt and pants and then continuing the beating. The suspects reportedly made anti-Muslim remarks during the assault, and at one point allegedly forced the victim to prostrate himself, as is done during Islamic prayers. The victim managed to escape his attackers and was reportedly hospitalized with bruises and a concussion. According to the victim's father, the two alleged attackers had a history of harassing his son, reportedly calling him a "Muslim terrorist" and "(expletive) Arab" for months prior to the attack.<sup>37</sup> The victim and one of the two suspects are no longer enrolled at school, and both suspects have been charged with a hate crime, second-degree assault, and unlawful imprisonment.

**The charges allege that on November 6, 2021, the two teens assaulted the victim for an hour, reportedly dragging the 13-year-old to different locations by his shirt and pants and then continuing the beating.**

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## Housing Discrimination

**Indiana:** Glenda Gasparine, president and CEO of the Southern Indiana Realtors Association (SIRA) made a post on her personal Facebook account that was copied and pasted from another user falsely stating that imams, or Islamic religious leaders, believe that Muslims must kill people of other faiths "so they can have a place in heaven." The post has been deleted from Gasparine's page. After holding an emergency meeting, "[SIRA board members said CEO Glenda Gasparine was not asked to resign and she wasn't terminated](#)." The board requested she attend diversity training."<sup>38</sup>



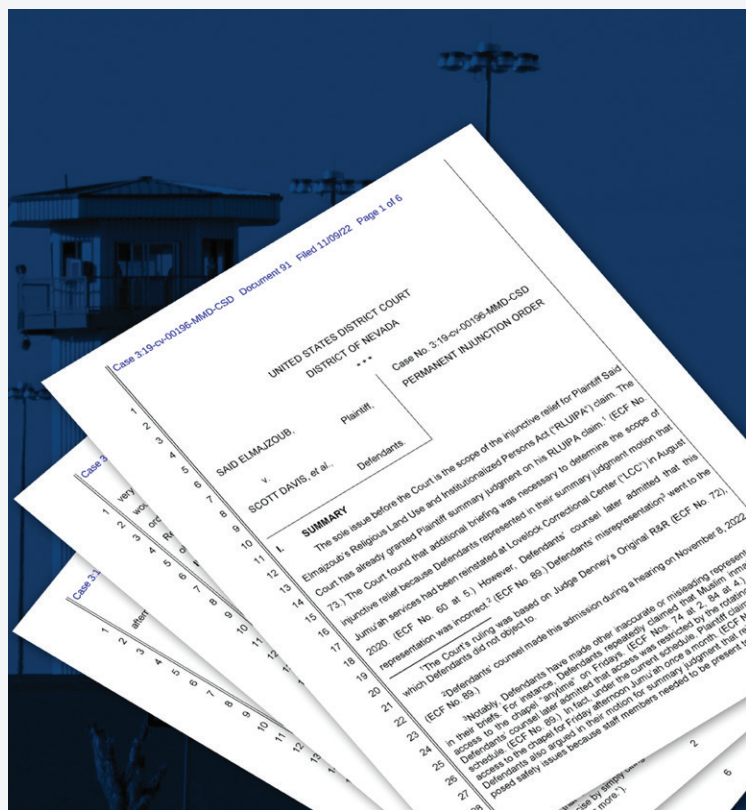
## Incarceree Rights

**Federal:** U.S. Navy Staff Sergeant Nathaniel Jackson is a devout Muslim who, in accordance with his faith, maintains a beard. Jackson converted to Islam while in confinement at the U.S. Naval Consolidated Brig Charleston, where officials placed him in administrative and disciplinary segregation to punish him for exercising his faith. By November 2022, SSgt. Jackson had been isolated from the prison population for almost one year. He spent many of those months in solitary confinement, confined to his cell for 22 hours every day. In a November 18, 2022 letter to the U.S. Navy and Department of Defense, CAIR Staff Attorney Hannah Mullen wrote, “SSgt. Jackson has endured violations of his statutory and constitutional rights under the Religious Freedom Restoration Act (RFRA) and the First Amendment.” Mullen added, “Since his conversion, he has attempted to exercise his religious beliefs as a Muslim, including, as relevant here, his sincerely held religious belief that Islam commands him to maintain a beard.”

**California:** From approximately 2020-2022, incarcerated Muslims were receiving brown bag lunches that were [cold and rotting](#).<sup>39</sup> In partnership with Chaplain Maria Khani and Imam Abu Ishaq Abdul Hafiz of Shura Council of Southern California, CAIR-LA advocated to Orange County Sheriff Don Barnes asking him to provide Muslim incarcerated with timely and quality meals in Ramadan and that Orange County Sheriff Department (OCSD) facilities distribute dates to fasting incarcerated individuals. Based on these efforts, the OCSD began to provide much higher quality self-stable iftars than what they had been

previously receiving in addition to three dates to break their fast. OCSD deputies began to call each inmate at sunset to break their fast and bring them suhoor on time. The OCSD also committed to providing the Muslim inmates with an Eid dinner on May 2, 2022.

**Nevada:** CAIR called on a federal court to impose a \$10,000 fine on a Nevada prison planning to violate a court order directing officials to allow Muslim incarcerated to congregate for jumu’ah, the weekly congregational prayer held each Friday that is integral to Islamic religious practice. In ordering a weekly congregational prayer at Lovelock Correctional Center, the court directed the prison to “schedule weekly Jumu’ah services on Fridays from 12:30 p.m. to 1:45 p.m.” The court also chastised the Nevada Department of Corrections for making multiple “inaccurate or misleading representations” that delayed the federal court from acting.<sup>40</sup>





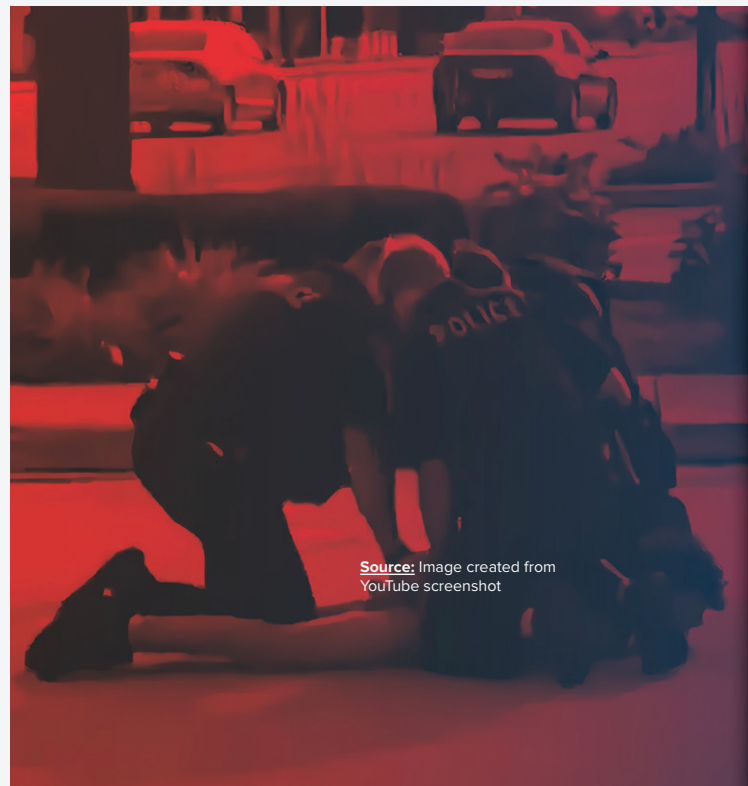
## Law Enforcement Encounters

**Arizona:** CAIR-AZ responded to a ruling by the U.S. 9th Circuit Court of Appeals on a Phoenix police officer's [Facebook posts denigrating Muslims](#).<sup>41</sup> The court found that the officer's posts, which featured Islamophobic images and content, implicated the First Amendment's Pickering Connick test. This means that the court would have to balance the interest of free speech and the interest of the state in not employing law enforcement officials who hold bigoted views that could lead to discriminatory treatment of citizens. The court ruled that interest balancing cannot be done at the motion to dismiss stage.

**Illinois:** CAIR-Chicago along with Abdallah Law, filed a seven-count complaint against three officers of the Oak Lawn Police Department (OLPD), Chief of Police Daniel Vittorio, and the Village of Oak Lawn in response to the alleged excessive force used in the arrest of 17-year-old Hadi Abuatelah on July 27, 2022. The complaint was filed in the Northern District of Illinois under civil rights laws for excessive force, conspiracy, as well as state law claims for intentional infliction of emotional distress and battery. On July 27, Abuatelah [was repeatedly punched by OLPD officers](#) following his arrest after he fled a traffic stop. He was hospitalized for a broken nose, bruising on his face, right arm, and back, and internal bleeding near his brain and forehead.<sup>42</sup>

**Michigan:** A settlement was reached with the city of Ferndale for the Ferndale Police Department's forcible removal of a Muslim woman's hijab for a booking photo following her arrest at a traffic stop in 2021. The

settlement involved the city instituting new policies allowing Muslim women to maintain their hijab when a booking photo is taken and prohibiting cross-gender searches in the absence of an emergency, as well as a monetary settlement. The city of Ferndale Police Department initiated a traffic stop of an African American Muslim woman, Helana Bowe, while she was travelling eastbound on Eight Mile Road inside the city of Detroit. Bowe was subsequently arrested at that traffic stop and transported to the city of Ferndale Police Department where she was subjected to a cross-gender search by a male officer and was forced to remove her hijab for a booking photograph that was then made available to the public. In October 2021, CAIR-MI filed a lawsuit in the Federal District Court on behalf of Bowe alleging that Ferndale had violated her rights under the U.S. Constitution as well as the Religious Land Use and Institutionalized Persons Act (RLUIPA).<sup>43</sup>



Source: Image created from YouTube screenshot

## Other Government Discrimination

**Wisconsin:** The city of Milwaukee fired an assistant city attorney with a history of anti-Muslim extremism. Milwaukee Assistant City Attorney Jennifer DeMaster was dismissed from her position following an appearance on Russia Today TV during which she argued that Russian President Vladimir Putin was justified in invading Ukraine. The termination notice to the city's Department of Employee Relations cited only 'job performance' and being a 'poor fit' as reasons for DeMaster's dismissal.<sup>44</sup>

DeMaster has a history of working with anti-Muslim hate groups that sought to restrict the rights of American Muslims. From 2015-2017, DeMaster worked as a legal analyst for the Clarion Project (formerly known as the Clarion Fund), a major proponent of Islamophobia in the United States. Prior to her work at the Clarion Project, DeMaster worked as a law clerk at the American Center for Law and Justice (ACLJ), where she worked on "Sharia law (and) radical Islamic ideology," according to a resume she filed with a federal court. In 2010, the ACLJ supported Oklahoma's "Save our State" amendment, which was designed to prohibit state courts from considering foreign law or Sharia when constructing procedures.<sup>45</sup> The amendment was later struck down in federal court and was found to be unconstitutional on the basis of its potential to do harm to Muslims, a ruling that was upheld by the Tenth Circuit Court of Appeals in January 2012.

## In a Facebook post, State Senator Amanda Chase made a bizarre argument against masking for protection against COVID-19 infection by attacking Islam, Arabs and Muslims.

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**Virginia:** In a [Facebook post](#), State Senator Amanda Chase made a bizarre argument against masking for protection against COVID-19 infection by attacking Islam, Arabs and Muslims. She wrote in part: "DID YOU KNOW THAT... 2300 years ago, long before Islam, Arabs discovered that forcing people to cover their nose and mouths, broke their will and individuality, and depersonalized them. It made them submissive. That's why they imposed on every woman the mandatory use of a fabric over her face. Then Islam turned it into the woman's symbol of submission to Alah [sic], the man owner of the Harem, and the King. Modern psychology explains it: without face we don't exist as independent beings...I'm introducing legislation this week in Virginia to stop the covid mandates to include mandatory masking. Educate. Not mandate. It's time to save face."<sup>46</sup>

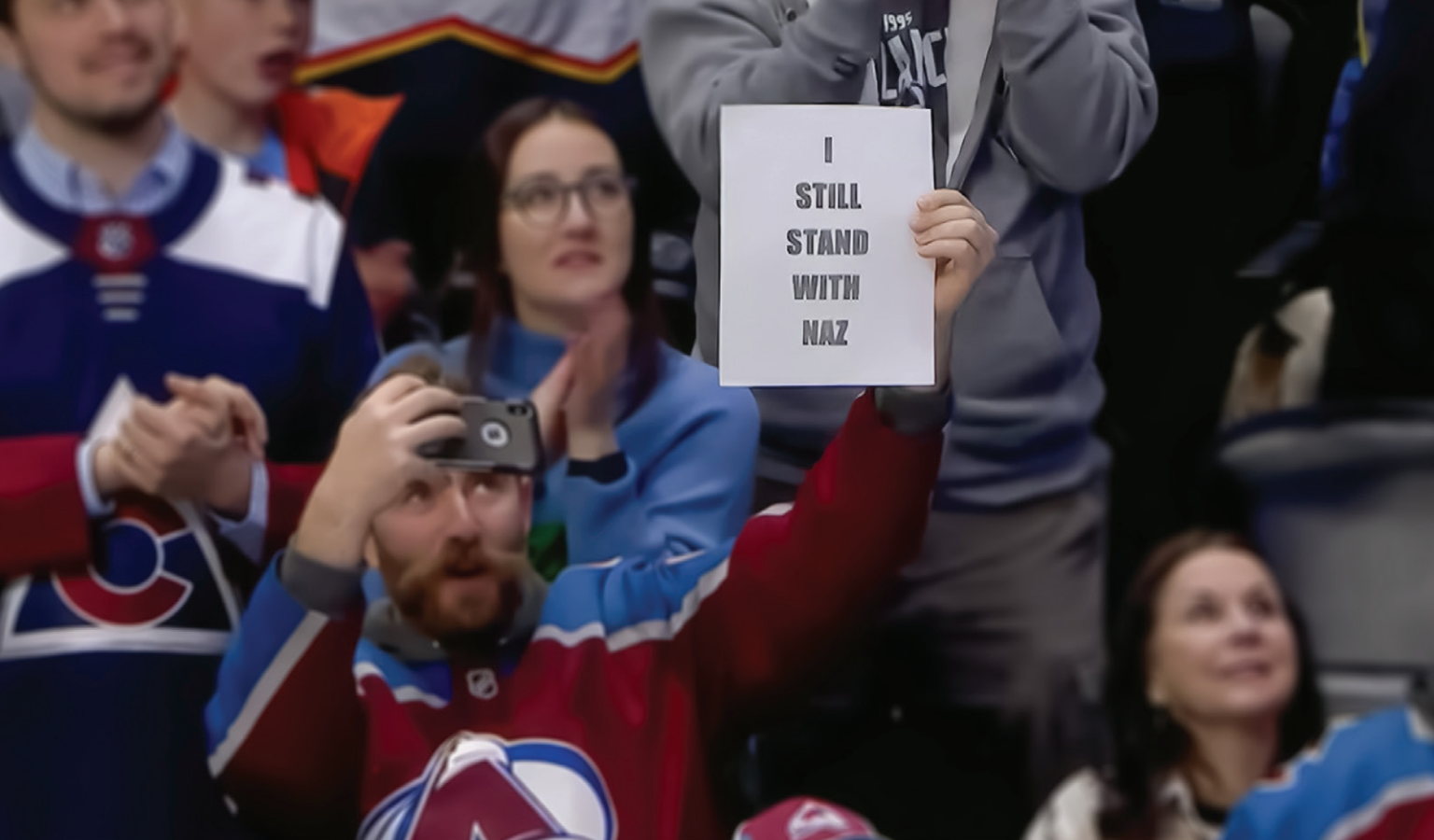
## Other Discrimination

**Georgia:** The Gwinnett County GOP hosted anti-Muslim conspiracy theorist Trevor Loudon at the party's August 6, 2022 breakfast event, titled "The War Against the West." Loudon is a virulently anti-Muslim, anti-immigrant conspiracy theorist from New Zealand who believes that former President Barack Obama was born in Kenya.<sup>47</sup> He also claims that the deadly Charlottesville rally organized by neo-Nazis and white supremacists was in fact planned by left-wing communists.<sup>48</sup> Tickets to the event, hosted at the Gwinnett County GOP's headquarters, cost \$15. The web page for the event hailed Loudon as a "wonderful speaker, passionate about winning the multi-generational war being waged against Western Civilization by the Cultural Marxists."<sup>49</sup> Gwinnett County is the most diverse county in the Southeast and the second most populous county in Georgia. The county also boasts a sizeable Muslim population and is home to more than 20 mosques and Muslim religious centers.

**Minnesota:** Following [an eight-year struggle](#), the Al Maghfirah Cemetery received the final go-ahead from the Castle Rock township.<sup>50</sup> The struggle [involved a lawsuit](#) and the property being vandalized twice. In August 2017, the cemetery was vandalized. It was vandalized again in October 2021 when someone cut a gas line on the property, destroyed the electrical box while exposing live wires, and strategically placed more than 50 tires in hopes of creating an explosion and subsequent fire. Damage estimates exceeded \$200,000.<sup>51</sup>

**National:** The influential Conservative Political Action Conference (CPAC) hosted Hungarian Prime Minister Viktor Orbán as a speaker in Texas after he made racist and anti-Muslim remarks during a speech. While addressing supporters in Romania just prior to the CPAC conference, Orbán said he did not want Hungary to become a "mixed-race" country. "We are willing to mix with one another," Orbán said, referring to Europeans, "but we do not want to become peoples of mixed race." He warned that "Islamic civilization" is "constantly moving toward Europe." Orbán has also ["extolled the values of racial purity."](#)<sup>52</sup>

**Florida:** Carnival Cruise Line security officers allegedly discriminated against a Muslim couple celebrating their wedding anniversary as they boarded a vacation cruise in Galveston, Texas. Carnival security officers [allegedly demanded that the wife remove her hijab](#) for a routine security photo in front of other passengers. When she requested a private room for the removal, she was denied basic religious accommodation. From the text of a legal filing, the Galveston-based *Daily News* [reported](#) company policy mentions that clothing that does not cover the face is not required to be removed.<sup>53</sup> [CAIR-Florida worked in partnership with another legal defense group](#) to secure a number of corrective measures for the couple.



## Sports Discrimination

**Colorado:** Colorado Avalanche center Nazem Kadri, who is Muslim and of Lebanese descent, was reportedly subjected to racist and Islamophobic attacks online following a collision with St. Louis Blues' goalie Jordan Binnington in May of 2022. The attacks [included violent threats](#), and as a result, the Avalanche had an increased police presence at the subsequent game.<sup>54</sup>

**Source:** Image created from YouTube screenshot





## Special Sections

The following sections highlight key developments in the struggle to secure equal social opportunities and equal protection under the law for American Muslims and other communities during 2022.

### ‘Partial Victory’ in a Supreme Court Ruling Means Muslim Plaintiffs Can Pursue Religious Discrimination Claims Following FBI Surveillance

*“Law enforcement was surveilling Muslim communities by tracking regular activities, behaviors, and appearances of everyday average Muslims. They weren’t looking at the likelihood of criminal behavior. They were looking at practices that are constitutionally protected. In fact, the more religious someone appeared, the more they were surveilled. Ordinary things that any Muslim does, like going to the masjid, wearing Islamic clothing, or growing a beard became grounds for suspicion.” – Dina Chehata, Civil Rights Associate Managing Attorney for the Greater Los Angeles Chapter of the Council on American-Islamic Relations*

In a unanimous decision, the Supreme Court of the United States did not endorse the federal government’s argument in *FBI vs. Fazaga* to dismiss religious discrimination claims against the agency leveled by Sheikh Yassir Fazaga, Ali Malik, and Yasser AbdelRahim. Although the Supreme Court reversed the Ninth Circuit’s ruling that those claims should be governed by the Foreign Intelligence Surveillance Act

(FISA), a law passed by Congress that provides procedures by which courts can review the legality of electronic surveillance, the Court sent the case back to the Ninth Circuit to decide how the case should proceed.

The decision left open several paths to victory for Americans who practice Islam and have suffered unconstitutional surveillance on the basis of their religion.

Between 2001 and 2006, the FBI surveilled Southern California Muslims as part of “Operation Flex.” The operation gathered lists of mosques, collected names of Muslim leaders and mosque members, interrogated hundreds of people, and planted surveillance tools to monitor ordinary Muslims. Central to the operation was Craig Monteilh, an informant trained to pose as a Muslim convert to gather as much information on as many people as possible.

**“Monteilh alone gathered hundreds of phone numbers, thousands of emails, and hundreds of hours of video recordings and thousands of hours of audio recordings of mosques, business, and homes. It was a shocking violation of the trust and hospitality the Muslim community showed him.”**

According to CAIR-Greater Los Angeles Area Civil Rights Associate Managing Attorney Dina Chehata, “Monteilh alone gathered hundreds of phone numbers, thousands of emails, and hundreds of hours of video recordings and thousands of hours of audio recordings of mosques, businesses, and homes. It was a shocking violation of the trust and hospitality the Muslim community showed him.” At around the same time, then Los Angeles FBI Assistant Director Stephen Tidwell assured attendees at a Muslim community forum that the agency was not spying on them.

When Monteilh began expressing his desire to take violent action against the U.S.

Government in 2007, the Muslim community grew alarmed. The CAIR chapter reported him to the FBI as a [potential national security threat](#). The Muslim community later learned Monteilh was a paid FBI informant.<sup>55</sup>

Sheikh Yassir Fazaga, Ali Malik, and Yasser AbdelRahim, three subjects of the FBI and Monteilh’s surveillance program, filed a lawsuit alleging their civil rights were violated when they were spied on because of their faith. Monteilh [later told investigative journalist Trevor Aaronson](#), “I believe that Operation Flex is illegal. It does violate the civil rights of Muslim Americans.”<sup>56</sup>



The [Congressional Research Service summarized the resulting case](#), known as *FBI v Fazaga* saying it “explores the circumstances in which a federal court may examine classified information in a civil lawsuit in order to review the legality of certain government surveillance activities.”<sup>57</sup> The FISA permits surveillance if the government has probable cause that a suspect is an agent of a foreign power and establishes guidelines for government collection of foreign intelligence.

FISA does leave open the possibility for the subjects of governmental surveillance to take their case before a court. It outlines the procedures by which a court may review the legality of the government’s surveillance. The issue before the Supreme Court was to determine if the review procedures outlined by FISA were intended to negate the availability of the government’s state secrets privilege, a tool used to prevent the disclosure of information deemed harmful to national security.

In 2012, a U.S. District Court agreed with the government’s argument that the three Muslim men should not be given representation in court and should not be given the opportunity to prove they were spied on because doing so would reveal state secrets.<sup>58</sup>

The case moved to the Ninth Circuit Court of Appeals, which disagreed with the lower court’s ruling. The Ninth Circuit reversed the ruling and held that the legality of the government’s surveillance: (1) should be reviewed under the guidelines of FISA and, (2) that the government could not just rely on the state secrets privilege to dismiss the case. A government appeal of the reversal took the case to SCOTUS.

CAIR worked alongside The Center for Immigration Law and Policy at UCLA School of Law, the ACLU of Southern California, and the law firm of Hadsell Stormer Renick & Dai to represent the plaintiffs in the Supreme Court case. Ahilan Aruanantham, faculty co-director of UCLA School of Law’s Center for Immigration Law and Policy argued the case before SCOTUS.

In a [unanimous opinion](#), the Supreme Court overturned the Ninth Circuit’s decision and ruled that FISA does not override the state secrets privilege. While interpreted by some as a step backwards for the Muslim community, SCOTUS examined only this narrow question and sent the rest of the case back to the Ninth Circuit to determine how the case should proceed. As a result, SCOTUS’s narrow ruling still provides an avenue for the plaintiffs to continue fighting to vindicate their constitutional rights and to hold the government accountable for its unconstitutional spying of the Muslim community.<sup>59</sup>



Source: CAIR



*“Just as African Americans had the constitutional right to participate in the Montgomery Bus Boycott, and just as anti-apartheid activists had the constitutional right to boycott South Africa’s government, every American has the constitutional right to boycott the Israeli government over its human rights abuses of Palestinians. And no state has the right to punish any American for engaging in protected free speech.” - CAIR National Deputy Director Edward Ahmed Mitchell*

00:50

Source: CAIR



## Upholding Free Speech Protections for Supporters of the Boycott, Divestment and Sanctions (BDS) Movement

On October 13, 2021, [Rasmy Hassouna was astonished to see a loyalty oath to a foreign country](#) slipped into the latest agreement between his company—A&R Engineering—and the City of Houston. A&R Engineering had done more than \$2 million of business with Houston over the last 20 years.

Hassouna, an American citizen from Gaza supports the BDS movement. Modeled after the successful global South African anti-apartheid movement, the BDS movement opposes the Israeli occupation of Gaza and the West Bank and seeks to pressure Israel to treat Palestinians with dignity and in accordance with its obligations under international law.

### **The BDS movement opposes the Israeli occupation of Gaza and the West Bank and seeks to pressure Israel to treat Palestinians with dignity and in accordance with its obligations under international law.**

The State of Texas—like many other states—opposes the BDS movement. Had the state limited its opposition to simply condemning

the BDS movement, this lawsuit would not have occurred. But Texas, like many other states, went further. Texas enacted an anti-BDS law that prohibits state and local entities from entering contracts with those who participate in the BDS movement. And—since Texas does not know who is and is not participating in the movement otherwise—it has done so by requiring certifications in state and local government contracts to stipulate that an individual does not participate in the BDS movement and will not participate in the BDS movement for the duration of the contract.

In his January 2022 ruling granting an injunction that blocks Texas from enforcing the anti-boycott law against Hassouna, United States District Judge Andrew S. Hanen wrote in part, “The speech contemplated by [Rasmy’s company] may make some individuals—especially those who identify with Israel—uncomfortable, anxious, or even angry. Nevertheless, speech—even speech that upsets other segments of the population—is protected by the First Amendment unless it escalates into violence and misconduct.” [Judge Hanen added](#), “The Court does find that Hassouna authentically holds a pro-Palestinian point of view that is protected by the First Amendment.”<sup>60</sup>

The injunction that the Court imposed on Texas and the City of Houston ensures that CAIR’s client will be able to contract with Houston without abandoning his First Amendment right to boycott Israel himself or through the company he owns.

CAIR previously won a landmark legal victory over the first version of Texas’ law in 2019. Bahia Amawi, a Texas speech language

pathologist who lost her job because she refused to sign a “No Boycott of Israel” clause, was the plaintiff in the case. The Texas state legislature responded to the court’s free speech ruling by enacting an updated anti-BDS law.

This free speech issue extends well beyond Texas. CAIR, the American Civil Liberties Union, and other civil rights organizations have filed free speech lawsuits against anti-BDS laws in Georgia, Arkansas, Arizona, Maryland, and Texas. Courts have blocked anti-boycott laws in Kansas, Arizona, and Texas.

In the latter part of 2022, the Georgia chapter of the Council on American-Islamic Relations (CAIR-GA), CAIR Legal Defense Fund, and the Partnership for Civil Justice Fund (PCJF) announced the filing of an opening brief in the 11th Circuit Court of Appeals in a lawsuit (*Abby Martin v. Regents of the University System of Georgia*) challenging Georgia’s anti-BDS law.

[CAIR’s First Amendment appeal](#) was brought on behalf of renowned journalist Abby Martin, who refused to sign an anti-BDS loyalty oath to Israel as part of her contract to speak at Georgia Southern University (GSU). CAIR achieved a major victory on behalf of Martin in 2021 when a district court held that Georgia’s law requiring the oaths was unconstitutional.

Regrettably, the court also dismissed on qualified immunity grounds claims against specific GSU officials who enforced the unconstitutional contract oath. Qualified immunity is a legal principle protecting officials from liability in certain circumstances. The rest of the case was eventually mooted by a legislative amendment signed by Governor Brian Kemp that attempted to protect the law

from judicial review and excluded individual plaintiffs like Martin. CAIR is currently appealing the qualified immunity dismissal against the individual defendants.

The appeal states in part, “In conditioning Martin’s keynote on a loyalty oath to Israel and a bar on participation in the boycott, divest, sanctions movement, Defendants violated clearly established rules, and qualified immunity does not shield them from Martin’s First and Fourteenth Amendment claims.”

Similar anti-BDS measures have been enacted in more than 20 other states as part of an effort to block the growing BDS movement.

A notable ruling by the U.S. Court of Appeals for the Eighth Circuit overturned a district court ruling that upheld Arkansas’ anti-boycott law. The free speech lawsuit against the state of Arkansas was filed by the ACLU on behalf of *The Arkansas Times*, which lost its advertising relationship with the state when the newspaper refused to sign a state-mandated oath pledging not to boycott Israel. CAIR has filed an amicus brief in the Arkansas case alongside numerous civil rights groups.



## Ensuring Freedom of Faith for Muslim Inmates

*“While we welcome DeKalb County Jail agreeing to the terms of the stipulation, these basic accommodations should have been provided from the very start of Ramadan. The fact that these have just now been adopted after the filing of a federal lawsuit shows the extreme lengths Muslim detainees are forced to take.” - CAIR-Georgia Executive Director Murtaza Khwaja*

This past year, CAIR has ensured that Muslim incarcerated in Georgia, Virginia, and Mississippi can observe the Ramadan fast and practice their faith in other ways.

“The First Amendment of the U.S. Constitution protects prisoners’ rights to practice their sincerely held religious beliefs,” asserted CAIR’s Maryland office and the Prince George’s County Muslim Council in a January 2023 memo to the county’s Department of Corrections. The memo came after CAIR’s Maryland office, the Maryland Muslim Prisoner Project, the Prince George’s County Muslim Council, and Justice for All joined together at a Jumu’ah prayer in December outside the Prince George’s County Department of Corrections to demand religious accommodations for Muslim inmates to congregate for Friday prayer, be served halal meals, and to wear hijab.

While the Maryland campaign opened late in the year, there were several notable religious freedom developments for Muslim incarcerated.

The national office and CAIR-GA settled a lawsuit brought against DeKalb County Jail for repeatedly denying halal food and timely Ramadan meals to Muslim incarcerated. Under [the terms of the stipulated settlement](#), DeKalb County Jail will “approve all requests for Kosher meals from Muslim detainees and begin to provide the meals (in the same form that are provided to Jewish inmates) to them immediately, as Kosher meals are understood by Muslims to meet the definition of Halal.” The jail will ensure that the meals are delivered in a timely manner “approximately an hour before the morning prayer (Fajr) and approximately 10 minutes before the evening prayer (Maghrib).” That facility will “ensure that times for the Fajr, Dhuhr, Asr, Maghrib and Isha” prayers are adequately met.<sup>61</sup>

CAIR also received complaints from incarcerated Muslims at a Virginia prison and a Mississippi jail who alleged that their respective institutions failed to provide inmates timely meals before dawn or after sunset. As a result, inmates were forced to choose between starving or violating their religious duty to fast. In Virginia, inmates alleged that they did not receive evening meals at all for two days and that their breakfast meals arrived too late for them to eat. Inmates in Mississippi allegedly received their breakfast meals too late. CAIR contacted both jails to demand immediate accommodation, and both facilities agreed to address the issue.

Our attorneys won a decision on behalf of Said Elmajzoub, who was denied congregational Friday prayer services at a Nevada State Prison. The Court ordered the prison to provide timely, regular Jumu’ah services for Said and other Muslim incarcerated at the facility.

We joined a lawsuit on behalf of Gregory Holt against the Arkansas Department of Corrections (ADOC). ADOC's practice of stripping incarcerated individuals and searching them in front of other incarcerated individuals is a violation of a Muslim's sincerely held religious belief in modest dress. CAIR Senior Litigation Attorney Gadeir Abbas and Trial Attorney Justin Sadowsky argued for and won a successful preliminary injunction that forbids the prison from undressing Holt in front of other incarcerated individuals.

## **Banking While Muslim: Members of Congress Call on Regulators to Improve Banking Access for Communities of Color, including Iranian and Muslim Americans**

U.S. Representative Ilhan Omar (D-Minn.) and Senator Elizabeth Warren (D-Mass.) led a joint U.S. House and Senate letter [signed by 22 lawmakers](#) calling on the Biden Administration and heads of all U.S. banking regulators to provide "an update on your work to modernize sanction policies and anti-money laundering/ financial crimes compliance (AML/FCC) obligations to protect and promote equitable banking access for Muslim Americans and immigrant communities. The letter then notes, "Countless U.S. individuals, businesses, and charities have been victims of discriminatory policies and practices that appear to limit their access to financial services because of their religion or national origin."<sup>62</sup>

In a [July 21, 2022 memo dedicated to ending the discriminatory bank account closures](#) at the center of the Omar-Warren letter, the National Iranian American Council (NIAC) describes the problem this way, "U.S. sanctions and extensive federal regulations like the Patriot Act encourage discrimination from banks." NIAC adds, "the Patriot Act imposes a broad mandate that many banks appear to judge as only enforceable through national origin or heritage discrimination."<sup>63</sup>

During [a subsequent panel hosted by NIAC](#), CAIR Senior Litigation Attorney Gadeir Abbas observed, "There is definitely a policy infrastructure that focuses people's attention on Iranian Americans and Muslims, pretty much anyone East or South of the Mediterranean."<sup>64</sup>

For years, community members and non-profit organizations have reported to CAIR that their bank accounts had been closed without explanation. To date, no one has had any substantive recourse to find out why the closure occurred or challenge it.

When welcoming the letter, CAIR also praised the crucial role NIAC action played in its advancement.



### **Watchlist: Ongoing Government Gymnastics to Avoid Supporting Their Own Designations**

*“Abdulkadir Nur is an American citizen whose only crime is helping the Red Cross deliver food, water, and other aid to his native Somalia. Because the government finds his philanthropy suspicious, he is detained for hours every time he returns to the United States, so the government can perform a forensic search of his phone. The government has done this repeatedly even as he stands unaccused of any crime. The constitution demands an end to this practice.” - CAIR Trial Attorney Justin Sadowsky*

For almost two decades, CAIR attorneys have found the quickest way to get a client off the Terrorist Screening Database (TSDB), commonly referred to as the “terrorism watchlist,” is not to file a redress complaint through DHS’s Traveler Redress Inquiry Program (DHS TRIP). The best approach is to sue the government. The government is more likely to remove an individual from the watchlist than submit to justifying to a judge why they think a person should be on the list. CAIR, and other rights groups, [have previously reported that the watchlist has included](#) Nobel Peace Prize recipient and anti-Apartheid leader Nelson Mandela, numerous children, and a former Air National Guard Brigadier General who worked as an airline pilot while licensed by the TSA to carry a gun into the cockpit of his aircraft.<sup>65</sup>

In 2022, CAIR attorneys successfully won a decision in the Ninth Circuit on behalf of Yonas Fikre remanding his case back to a district court. The district court was to decide whether Fikre’s due process rights were violated by his placement on the no-fly list and watchlist. Fikre originally sued to get off the no-fly list in

2013, alleging he was placed on it and, as a result, tortured by a foreign government when he refused to become an FBI informant. At the time, Fikre ended up stranded overseas for nearly five years.

Because of a CAIR lawsuit, Anas Elhady and more than two dozen other plaintiffs were removed from the watchlist. Elhady is a U.S. citizen who was detained for several hours in 2015 under freezing conditions at the Ambassador Bridge in Michigan until he passed out and required hospitalization. The District Court found that such actions violated Elhady’s established constitutional rights. On appeal, the Sixth Circuit reversed the District Court without reaching the constitutional issue, because it decided that federal agents are not held accountable for violating people’s constitutional rights at the border. CAIR has since filed a petition asking the Supreme Court to review the Sixth Circuit’s decision.

CAIR filed a similar lawsuit on behalf of Abdulkadir Nur who had his electronic devices seized by U.S. Customs and Border Protection (CBP) agents while traveling because of his placement on the watchlist. This case received national media coverage, and Abdulkadir’s story was [included on a segment on ABC News](#). Nur was removed from the watchlist as a result of the lawsuit and, after almost ten years, is now able to travel without secondary screening. The district court dismissed the lawsuit on mootness after Nur was removed from the watchlist, but CAIR plans to appeal this dismissal in 2023.<sup>66</sup>

CAIR called on Congress to act on [ending the seizures of American citizens' cell phones at border crossings and the copying of their data into surveillance databases by CBP](#). Data from as many as 10,000 electronic devices are added to a surveillance database by CBP each year, [as leaders of the agency told a congressional briefing over the summer](#). The database, known as the Automated Targeting System, is reportedly accessible to nearly 3,000 CBP agents without a search warrant. In a 2018 filing, a CBP official said officers had the right to search phones and other electronic devices without warrants or suspicion of wrongdoing.<sup>67</sup>

In op-ed published in March 2022 about the watchlist, CAIR Director of Government Affairs Robert McCaw noted, “Usually, the TSDB operates under the radar of Congress. I believe that the reasons Congress does not address the TSDB are twofold. First, there this a disappointingly bi-partisan reluctance to provide congressional oversight to this illegal program. Authorized by the Bush Administration, it has largely operated unaltered by Presidents Obama, Trump, and Biden - existing without a congressional mandate. In other words, while they have a duty to provide congressional oversight, it is easier to act like it is not their problem. Second, there is a persistent fear among elected officials that if they reform the watchlist by adopting new laws that better protect and respect the rights of all U.S. citizens and residents, including Muslims, they will be vulnerable to electoral challengers for being ‘weak on national security.’”<sup>68</sup>

**Second, there is a persistent fear among elected officials that if they reform the watchlist by adopting new laws that better protect and respect the rights of all U.S. citizens and residents, including Muslims, they will be vulnerable to electoral challengers for being ‘weak on national security.’”**



## Florida Predictive Policing Program Creates Secret List of Targeted Youth

Florida's Pasco County Sheriff's Office, headed by Sheriff Christopher Nocco, operates a predictive policing program that—without any notice to parents and guardians—places hundreds of students on a secret list that identifies those individuals that the police believe are most likely to commit future crimes. These children are then subjected to persistent and intrusive monitoring. This list is created using an “algorithmic risk assessment,” and the criteria used for the program are believed to have a greater impact on Black and Brown children. The sheriff's office refuses to produce a demographic breakdown of students on the list. CAIR-Florida is at the center of a legal challenge seeking to shine light on the program.

Following a critical series of [investigative articles by the Tampa Bay Times](#) exposing the Sheriff's program in 2020, community members and organizations came together to seek an end to the Sheriff's unlawful practices and to urge Pasco County Schools to stop sharing private student data with law enforcement without parental consent or notification.<sup>69</sup> According to the Sheriff, the program enables law enforcement to «identify at-risk youth who are destined for a life of crime.» Based on student data, including absences and grades, law enforcement records, and records from the Florida Department of Children and Families, the Sheriff assigns a score to every youth labeled «at-risk» by the Pasco County Schools to create a secret list of targeted youth. The Sheriff then uses that secret list to harass and

surveil young people in the community, which is particularly troublesome in a school district with stark racial disparities in school discipline. For example, U.S. Department of Education data shows that though Black students comprise only 7% of the student population in Pasco County Schools, 23% of the students that the School District expels are Black.<sup>70</sup>

Between April and June in 2021, CAIR-FL submitted numerous public records requests to the Pasco County Sheriff's Office. While Sheriff Nocco complied with most requests, he refused to provide the information that could help establish whether the program is disproportionately targets certain groups.

The Southern Poverty Law Center (SPLC), the Legal Defense Fund (LDF), and the Southern Legal Counsel (SLC) launched a lawsuit in September 2021 against the Pasco County Sheriff's Office on behalf of CAIR-FL. [The lawsuit, filed in the Sixth Circuit Court of Florida](#), seeks an order requiring Sheriff Nocco to disclose information related to the so-called Intelligence-Led Policing program.<sup>71</sup>

The program is described at length in the Sheriff's 2018 “[Intelligence-Led Policing Manual](#)” and the [2020-21 School Resource Officer and Safety Program Funding Agreement](#).<sup>72</sup> But there is little about the program that is grounded in reliable or relevant intelligence evidence-based methodology. Experts cited in the manual have [criticized](#) the Sheriff's approach as «fl[y]ing in the face of the science.»<sup>73</sup>

CAIR-FL joined a 30-member coalition to announce the formation of the PASCO Coalition: People Against the Surveillance of Children and Overpolicing, and to call on the Pasco County School District to stop its practice of illegally sharing confidential student information with the Pasco County Sheriff's Office. The In 2021, U.S. Department of Education launched an investigation into Pasco County Schools for its role in the data-sharing program.<sup>74</sup>

### **Anti-Muslim Hate Group Paid for Spies in U.S. Muslim Institutions; Department of Justice Unresponsive to Calls for Investigation**

CAIR revealed that multiple individuals involved in Muslim community activities were acting as spies for an anti-Muslim hate group, the Investigative Project on Terrorism (IPT). IPT is led by [Steven Emerson](#), who has been described as an anti-Muslim activist by the Southern Poverty Law Center. Emerson faced international ridicule in 2015 after he claimed on Fox News that a British city was a Muslim no-go zone.<sup>75</sup>

The *Washington Post* [published an exclusive report](#) on the spying issue.<sup>76</sup>



The evidence CAIR reviewed to identify the individuals included a [statement from an IPT whistleblower](#),<sup>77</sup> a statement [from a Virginia Muslim](#) who once worked as a paid spy for IPT,<sup>78</sup> a tax form showing that Emerson's for-profit corporation [paid that individual over \\$30,000](#) for one of his years of spying,<sup>79</sup> an excerpt from a dossier that the hate group compiled on former Rep. Keith Ellison, and an [excerpt of an IPT transcript](#) of a private meeting that national Muslim leaders held to discuss the Park51 controversy in 2010.<sup>80</sup>

Other Muslim organizations and leaders surveilled or spied on by IPT include then-Congressman Keith Ellison, the Park51 community center, the Muslim Alliance of North America, the Islamic Society of North America, Muslim American Society, the Muslim Legal Fund of America, Muslim Advocates, the Muslim Public Affairs Council, the Islamic Networks Group, and Zaytuna College, among others.

According to the whistleblowers, IPT was also working with multiple Republican members of Congress as well as the Middle East Forum (MEF), an anti-Muslim, anti-Palestinian hate group founded by racist writer Daniel Pipes. CAIR [also revealed that evidence it possesses](#) also indicates that the anti-Muslim hate group had collaborated with Israeli intelligence in the office of Israeli Prime Minister Benjamin Netanyahu.<sup>81</sup>

[Over 80 American Muslim organizations](#) called on the U.S. Department of Justice (DOJ) to investigate whether Steven Emerson and IPT violated any federal laws, including using paid spies to infiltrate and recording and undermining Muslim organizations, houses of worship and Muslim leaders for the benefit of a foreign government.<sup>82</sup>



### Challenging Secret Harvesting of Muslim Location Data from Apps

CAIR and its counsel, the Communications & Technology Law Clinic (CTLCL) at Georgetown University Law Center, [filed a Federal Trade Commission \(FTC\) complaint](#) over alleged deceptive and unfair practices used to extract personal data from Muslim app users for potential use in warrantless surveillance. Researchers and journalists have documented a pattern of deceptive and unfair practices designed to monetize the special value of location data specific to the Muslim community. Location data has special value because it facilitates warrantless surveillance of individuals historically targeted by law enforcement, the intelligence community, and the military.

In 2020, the U.S. Special Operations Command admitted to purchasing the location data of users of a popular Muslim prayer app, [Muslim Pro](#), and a Muslim dating app, [Muslim Mingle](#).<sup>83</sup>

Location tracking has had a disproportionately harmful impact on American Muslims, limiting their first amendment activity and their consumer choice. Deceptive and unfair practices that have been used by many apps toward American Muslim communities violate the practice of religion and freedom of assembly protected by the First Amendment.

These practices harm any consumer who uses a mobile device by leaving them unaware of the extent to which they are tracked, raising their risk of discriminatory targeted advertising, stalking, and unwarranted surveillance on marginalized communities in the United States.

### Ohio, Maryland Enshrine Muslim Women's Sports Inclusion in Law

*"According to the book, it says that she is allowed to wear head gear as long as it does not have tassels, or it is made for sport. At the time she was wearing a Nike sports hijab. So, it's a headgear made for sport, and it had no tassels. So where did we break the rules? Someone could have run in a hat, and no one would have had a problem with it. It was specifically the hijab. That's where you understand that there is a bias." –[Yolanda Melendez](#), whose daughter was disqualified from an Ohio cross country meet while wearing a sports-specific headscarf.*

Ohio and Maryland enacted laws designed to protect athletes who opt to observe their sincerely held religious beliefs while participating in sports.

Ohio Gov. Mike DeWine signed a law that will restrict schools and interscholastic athletic programs from prohibiting or creating obstructions for wearing religious apparel.



According to the law, these apparel items will include headwear, clothing, jewelry, or other coverings. The law specifically seeks to eliminate challenges faced by Muslim students who wear hijab, as well as other modest coverings when participating in school sports. Student-athlete Noor Abukaram championed the bill after her own experience of being disqualified from her high school track meet for wearing her hijab.<sup>84</sup>

Maryland’s Inclusive Athletic Attire Act law went into effect in July. The bill passed with bipartisan support and codifies a memo that protects the rights of Maryland public school student athletes to dress modestly or wear religious articles of faith— including the hijab, or Islamic headscarf, Sikh patka (religious hair wrap) and Jewish kippah (skullcap—when

participating in sports. Efforts to pass the bill emerged from an incident in which Je’Nan Hayes was removed from a basketball game because of her headscarf.

The [\*first Inclusive Athletic Attire Act\*](#) was reportedly passed in Illinois in 2021 with the aid of the Illinois Muslim Civic Coalition.<sup>85</sup>

Many international athletic organizations have modified their rules and policies in recent years to account for the various religious needs of participants. For example, the International Weightlifting Federation, the International Basketball Federation, and the International Federation of Association Football have all lifted their respective bans on religious headgear, including hijab.



Source: CAIR

## Recommendations

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1. **The U.S. Government Should Tie Police Funding to Submission of Hate Crimes Data** CAIR continues to call for the Biden Administration and Congress to work together to require the federal government to condition any aid, grants, training, or other assistance to local law enforcement agencies on their [agreement to submit regular and complete data regarding hate crime incidents targeting minority communities](#).<sup>86</sup>
2. **Mosques and Other Visibly Muslim Institutions Should Consider Taking Advantage of Security** Grants Muslim community centers, Islamic houses of worship, and nonprofits may be in need of increased security. The Nonprofit Security Grant Program (NSGP) provides federal funding for physical security enhancements and other security-related activities to nonprofit organizations that are at risk of a terrorist attack. In past years, applicants with one physical site may apply for up to \$150,000 for that site.

**CAIR is committed to continuing to monitor DHS's NPSG program to ensure that it remains a benefit to the American Muslim community.**

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Applicants with multiple physical sites were able to apply for up to \$150,000 per site, for up to three sites, for a maximum of \$450,000 per sub-applicant. CAIR is committed to continuing to monitor DHS's NPSG program to ensure that it remains a benefit to the American Muslim community. If we ever see any signs of discrimination or law enforcement intrusion into community spaces, we will quickly and appropriately address those issues.

3. **Banks Should End the Wrongful Targeting of American Muslim, Arab, and Persian families** The federal government and other financial industry regulators should update their practices and guidelines to ensure greater equity in banking. Banks' ongoing wrongful targeting of American Muslim, Arab, and Persian families and closing their accounts are harmful and discriminatory practices in the U.S. financial sector that need to stop. This discrimination also extends to other immigrants and communities of color.
4. **The Federal Trade Commission (FTC) Should Combat the Unfair and Deceptive Practices of the Data Location industry** The FTC should use its enforcement authorities, including issuing warning letters, notices, and rules to combat the unfair and deceptive practices of the data location industry. To understand opaque areas of the industry, the FTC should conduct investigations to determine which actors are harming consumers and release any information that would be beneficial to the public.



5. **States Should Take Action to Enshrine Religious Sports Attire Inclusion in Law**

At least three states—Illinois, Ohio, and Maryland—have legislative remedies that other states can use as a template.

6. **Department of Justice (DOJ) Should Investigate the Anti-Muslim Hate Group that Paid Informants to Spy on Muslims**

To protect the civil rights of American Muslims, we ask the DOJ to launch an investigation to determine whether Steve Emerson or the Investigative Project on Terrorism broke any federal civil rights statutes or criminal laws by targeting the Muslim community.

7. **Congress Should Investigate Government and Law Enforcement Overreach Targeting the American Muslim Community**

As we [called for in 2015](#), “The U.S. Congress should hold hearings, similar to the Church Committee, to investigate the federal government’s overbroad surveillance of mosques and American Muslims despite the absence of evidence of criminal activity.”<sup>87</sup>



Source: CAIR



## **Background, Methodology, Limitations**

### **Background**

From 1995 to 2009, CAIR published an annual report on the status of civil rights for Muslims in the United States. After a brief hiatus, during which the organization invested significant resources to improve human resources and case intake, investigation, management, and classification, the annual report was relaunched in 2017. No reports covering 2018 and 2019 incidents were published. To accommodate pandemic needs and staff changes, CAIR reduced the variety of data on which report draws and began again publishing reports in 2021. This report is the third that reflects those reductions.

### **Methodology**

CAIR's research and advocacy department staff reviewed approximately 1,242 statements and videos issued by the organization in 2022. From this information we drew many of the case studies and special sections. Our staff check these cases for updates with those involved or through media sources.

Each year, thousands of Americans contact CAIR through a variety of media, including telephone, email, and online complaint system. When possible, CAIR staff also may reach out to offer their services to individuals whose incidents were reported in news sources and not directly to CAIR.

With each complaint, case intake staffers review preliminary materials and conduct

interviews with prospective clients as part of the confidential intake process. These nationwide intake staff will then classify the case using the complaint category definitions provided earlier in this report. Each CAIR office that does intakes then submits their annual totals to the research and advocacy team.

### **Limitations**

This report contains a mere snapshot of the experiences of American Muslims, including children, youth, and families, across the United States. CAIR knows that bias incidents targeting the community are vastly underreported to both law enforcement and community institutions. For example, in 2022, CAIR\_NY released in a survey of 295 Muslims residing in the five boroughs of New York City finding that [“Only 4% of those who experienced a hate crime reported it to law enforcement because they either do not trust law enforcement or feel it is not productive to report to such agencies.”](#)<sup>88</sup>

Desensitization plays a role in non-reporting as well. CAIR staff often hear of episodes in which individuals are harassed and do not report the incident because the target feels that either nothing can be done, or that such treatment is expected and normal, and does not necessitate an official complaint.

Where CAIR is present, the local community is more likely to report cases to the organization. Thus, in states like California and Ohio where CAIR has multiple offices, higher numbers of cases are expected than in states like Tennessee or Montana where the organization does not yet have an office.

The pandemic's social limitations also impact reporting to grassroots organizations like CAIR. Many cases come to us due to our presence at community events and religious functions. Like many nonprofits, 2022 was the first year since the initial 2020 pandemic lockdowns that we began to be routinely present with our constituency.

Finally, over the course of 2022, CAIR's civil rights team began the process of adopting a new proprietary case management system. As part of that process, they also updated the complaint category definitions. As a result, in many instances we cannot make 1-1 comparisons between our case types in 2021 and 2022.

## Endnotes

1. Other Discrimination (1,153 complaints) was numerically the second largest type, followed by Out of Scope or Unknown (709). As these umbrellas contain a variety of complaint types, we cannot make any substantive assertions about them. For this reason, we instead feature types that illustrate to the reader more specific types of complaints we are receiving from community members.
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“Hopefully, this [legal] decision will push the city to resolve the remaining legal claims, make Adam Community Center whole, and put an end to the time when Troy [Michigan] fought to keep Muslims out of their city.” - [CAIR-Michigan Staff Attorney Amy V. Doukoure](#)

“State lawmakers should note this decision. There’s no place for banning boycotts under the First Amendment.” - [CAIR Litigation and Civil Rights Director Lena Masri](#)

“While we support Indian Americans’ right to celebrate their heritage and independence from British colonial rule, we condemn the use of a bulldozer and the glorification of Hindu nationalist figures who have a deeply anti-Muslim track record.” - [CAIR-NJ Executive Director Selaedin Maksut](#)

“There is definitely a policy infrastructure that focuses people’s attention on Iranian Americans and Muslims, pretty much anyone East or South of the Mediterranean.” - [CAIR Senior Litigation Attorney Gadier Abbas](#)

“They weren’t looking at the likelihood of criminal behavior. They were looking at practices that are constitutionally protected. In fact, the more religious someone appeared, the more they were surveilled.” - [CAIR-Greater Los Angeles Civil Rights Associate Managing Attorney Dina Chehata](#)

“Anti-Muslim bias takes many forms. But you can’t go much lower than tampering with the food of a young child.” - [CAIR-MA Legal Director Barbara J. Dougan](#)

CAIR is America’s largest Muslim civil liberties and advocacy organization. Its mission is to enhance understanding of Islam, protect civil rights, promote justice, and empower American Muslims.



## **Civil Rights Report 2023**

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