



CAIR
MASSACHUSETTS



2022
civil rights report

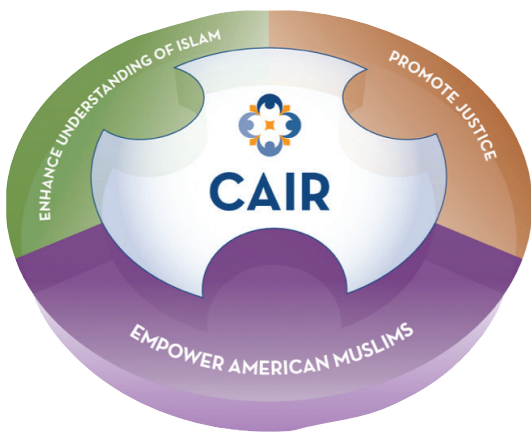
Meeting Changing Needs

The Council on American-Islamic Relations - Massachusetts

Meeting Changing Needs

2022 CIVIL RIGHTS REPORT

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CAIR-MA's Mission

CAIR-Massachusetts is a chapter of CAIR, the Council on American-Islamic Relations, which is America's largest Muslim civil liberties and advocacy organization. CAIR's 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.

On the cover: The CAIR-MA team outside the Massachusetts Appeals Court after our Legal Director, Barbara J. Dougan, successfully defended a court order she had obtained in District Court to protect a Muslim family from violence and harassment. *Left to right:* Aly Tahoun, board member Yasmin Abdulatheem, Executive Director Tahira Amatul-Wadud, attorney Dougan, Youth Advocacy Director Fatuma Mohamed, legal intern Tiffany Igwe, and Wahaaj Farah. [Read more on page 8.](#)

From Our Executive Director

The Last Messenger (ﷺ) said:

**"Whosoever takes a path upon which to obtain knowledge,
the Almighty Creator makes the path to Paradise easy for them."**

(Narrated by Abu Hurairah)

For Muslims, like many other Americans, the right to pursue an education is vital to creating a thriving and vibrant society. However, for too many Massachusetts Muslim school children, their experiences are anything but vibrant or happy. Instead, they are fraught with fear and stress. **The greatest threat to Massachusetts Muslims in 2022 was the mistreatment of school children.**

While we saw a decrease in requests for help concerning issues that typically affect adults, such as employment and housing discrimination, there was an alarming 72% increase in requests for help from parents and students experiencing an Islamophobia crisis in their public schools. Muslim boys typically complained of being unfairly disciplined, which they suspect is due to their Muslim identities, while Muslim girls reported that their schools failed to protect them from relentless bullies targeting them and their hijab. Both are pervasive and systemic problems.



In responding to this crisis, we equipped parents and community leaders with the tools to communicate with school administrators, even before a problem occurs. We empowered our young people to organize and advocate for proactive policies in their schools. We applaud schools that create a warm environment for Muslim students and we encourage their efforts.

Our legal department, led by attorney Barbara J. Dougan, is uniquely qualified to meet the complex and urgent legal needs of our community. We remain deeply committed to protecting the civil rights of Muslims to live without fear, to worship without penalty, and to learn without harassment. We are honored to serve.

In solidarity,

Tahirah Amatul-Wadud, Esq.
Executive Director & Chief Legal Officer

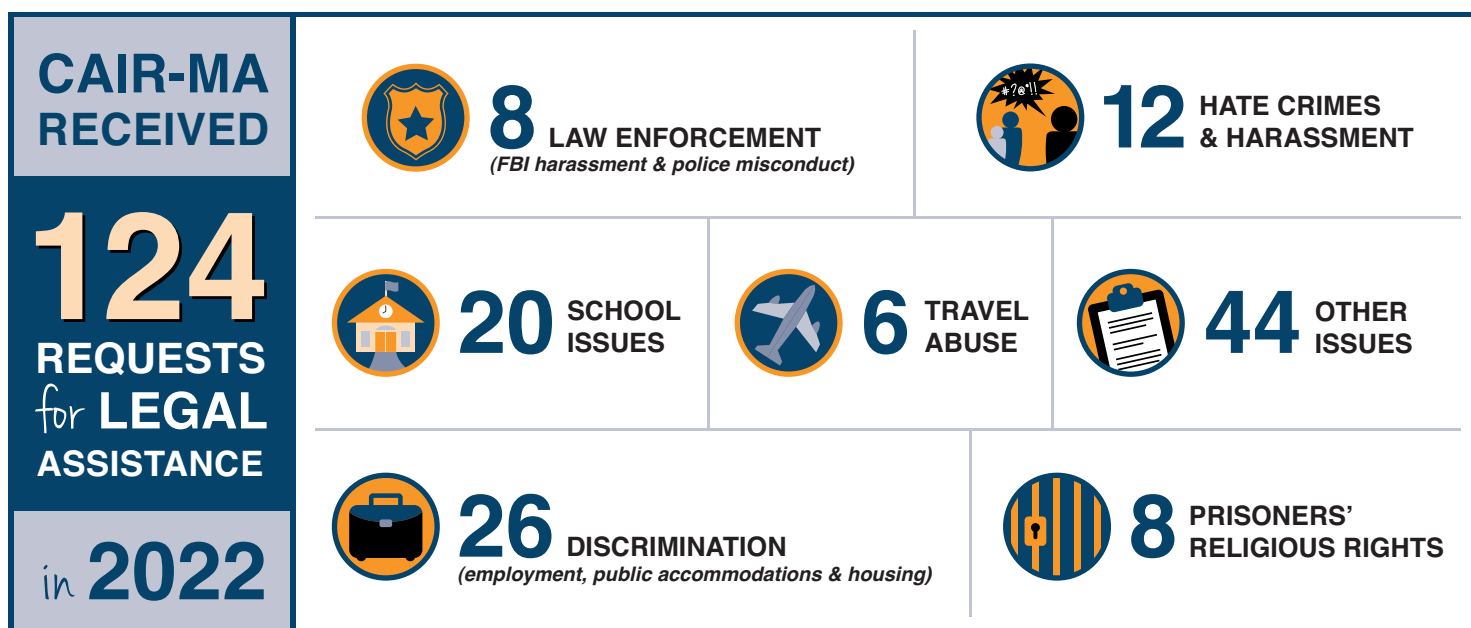
Overview: Serving Our Community

“We can't thank you enough. You've made my wife, me, and the children feel much safer in our town.”

CAIR-MA provides legal representation, advocacy, assistance, and education on civil right issues affecting the Muslim community in Massachusetts. We do so by providing attorney representation in court, robust educational materials and programs, policy work, and outreach activities.

The numbers

We received **124 requests for legal assistance** in 2022, a 24% decrease since 2021. This decrease is consistent with nationwide data compiled by CAIR's national office.¹



2022 trends

In past years, the two categories with the greatest demand for assistance were employment discrimination and immigration. But in 2022, **the schoolhouse replaced the workplace as the top site for complaints** about harassment and discrimination. We saw an alarming 72% increase in requests for help with problems at school, including anti-Muslim policies, unfair discipline, problems with staff, and bullying.² [See details on page 5.](#)

¹ CAIR saw an almost identical decrease nationally – 23%. [“Progress in the Shadow of Prejudice: CAIR 2022 Civil Rights Report.”](#)

² Again, Massachusetts' experience is consistent with national trends. CAIR's national office reports a 63% increase in complaints about school incidents from 2021.

In addition, after a steady decrease for the past five years, we saw a **disturbing 33% increase in calls about hate crimes and harassment.**

[See details on page 8.](#) We know these incidents are greatly underreported.³ We also know that anti-Muslim actions are more closely linked to U.S. election cycles than other factors.⁴ We are

monitoring this trend so we may quickly increase support and needed response if the numbers continue to move upwards as we head into the 2024 presidential elections.

Here are a few of the stories behind the numbers, as our clients' experiences breathe life into the data. **As one father said:**

“I am writing this complaint with friend of mine who help me with the English yet the racist and ill treatment of my family and I is a subject that can be understood by any language.”

³CAIR-NY surveyed Muslim New Yorkers about their experience with hate crimes and bias incidents. As described in the 2022 report, [“Feeling the Hate.”](#) 64% of Muslims had experienced a hate crime, bias incident, or both, but only

4% of those who were the victims of a hate crime reported it to law enforcement. They either did not trust law enforcement or felt it was not productive to report to such agencies.

⁴[The Islamic Monthly](#) (Sept. 25, 2014).

School Issues

In many of the cases described on the next few pages, our Legal Department and our Youth Advocacy Department collaborated in order to best meet the needs of Muslim youth. CAIR-MA's attorney provided legal advice and representation, while our Youth Advocacy Director offered individual support for the young person and strategies for enlisting other Muslim students to create a safer and more welcoming school environment.

privileges will be notified before the child receives detention. They will experience the same rewards and consequences.

Lack of student Cooperation. Students will be reminded about their responsibilities concerning the dress code in the same way they are reminded about their behavior. They will experience the same rewards and consequences.

Date 8/18 Homeroom 017

Student Name [Redacted]

Person Making Report [Redacted]

Description of Uniform Infraction Jihab

Sign and return this form to the main office tomorrow. The policy will be enforced for all dress code violations.

Parent/Guardian Signature _____ Date: _____

Dress code violation notice given to a Muslim 8th grader on her first day of school.

8th grader cited for wearing hijab to school

In a case that received widespread media coverage, on the first day of school a Muslim 8th grader was cited for a dress code violation for wearing a hijab — or, as the school incorrectly and disrespectfully referred to it, “jihab.” The student’s older sisters had all worn hijabs while attending this school, so **Islamic headscarves were nothing new to school officials.** CAIR-MA ensured that the student could continue wearing her hijab without penalty while the school’s dress code is evaluated. Negotiations are on-going.



Muslim parents attended a community meeting to address long-standing problems at a school where a Muslim 8th grader was cited for wearing a hijab.

This case truly touched a nerve among Muslim families. The student's older sister, who first posted about the incident on social media, received a stunning **14,000 responses**. Local Muslim parents packed a community meeting called to address long-standing problems at the school. It reminded us that one incident can represent **scores of similar complaints** that are either unvoiced or do not result in media attention. And how one brave girl can

symbolize the **frustration of an entire community** that is no longer willing to allow its faith to be treated as a "violation" of an arbitrary rule.

Community meeting photo used courtesy of Dakota Antelman / Patch. Read the full Patch story at: www.patch.com/massachusetts/malden/malden-discusses-mystic-valley-charter-school-hijab-incident

College student takes on rampant harassment at his former high school

A college student contacted CAIR-MA about the years of Islamophobic harassment he and other Muslim students endured at his high school, ranging from vandalism to death threats, with little response from school officials. The deadlines for taking any legal action have long since passed, but

he is still determined to **prevent the same traumatic school experience** for other students. Our Youth Advocacy Director and our Legal Director are helping him develop a plan to organize current and former students and their parents, so they can share information and advocate for the safety and well-being of Muslim children. **As he told us:**

"Words cannot define how grateful I am for the immense help CAIR-MA has given me in this ambitious civil rights initiative. I am confident our efforts will foster a safer learning environment for current and future students."

Schools call DCF on Muslim parents who complained about bullying and discrimination

A school reported a Muslim mother to the Dept. of Children and Families (DCF) for abuse after a teacher overheard a Muslim student say that his mother grabbed his arm and took away his phone. According to the son, the teacher seemed intent on getting him to say what she wanted to hear. But DCF “screened out” the complaint, meaning that they did not even see a need to investigate. The mother believes that the DCF referral was in **retaliation for her previous complaints** about the school's discriminatory treatment of her and an older child.

At another school, a young Muslim girl was disciplined after she shoved a student who was part of a group of children **throwing things at her head, eventually dislodging her hijab.** Yet none of the other students were disciplined. Due to the parents' advocacy, the discipline was rescinded. However, weeks later the school filed what is believed to be a retaliatory and baseless abuse/neglect DCF complaint against the family about an unrelated matter. This family never had contact with DCF prior to the incident where the daughter was bullied.

We advised the parents in both cases. In those incidents, the fact that schools called DCF was a disturbing tactic. It puts parents on the defensive while deflecting attention from the issues they are trying to address on behalf of their children.

Monitoring school suspensions of Muslim children

We have seen several instances where Muslim school children were given the **maximum possible suspension** for making joking remarks — or claims by others of such remarks — about weapons. No one doubts that school safety is of utmost importance, yet none of these cases involved actual threats of violence, weapons, or students with a history of disciplinary issues. Muslim parents report that their **children are unfairly seen as potential terrorists,** when compared to their classmates who are not Muslim or immigrants. While schools must collect data on the race and gender of students who are disciplined, we are exploring ways to get a better sense of religious bias in disciplinary decisions.

Palestinian activist surveilled by other students

We researched Massachusetts' right to privacy law for a Palestinian activist at a local college who did not realize that another student was **surreptitiously photographing her private text messages** during a seminar. Her texts were then published out of context, which could create problems for her in her chosen profession. We advised the student on her legal options if there is further harassment.

High school students advised on scheduling conflict with Eid al-Fitr

In 2022, the College Board's advanced placement exams fell on Eid al-Fitr, the holiday marking the end of Ramadan. Fortunately, an **alternate testing date** is built into the exam schedule for situations like this. We advised high school students about the deadline for requesting the alternate date.

Hate Crimes & Harassment

It is common knowledge that hate crimes and incidents of harassment are greatly underreported. Every time we publicize a case, we hear from many other community members who experienced something similar but did not tell anyone. Typically, they feared retaliation for speaking up or they worried about being seen as problematic in the eyes of family, friends, or work associates. For that reason, we salute our brave clients who chose to hold their assailants accountable, undoubtedly helping to prevent similar acts in the future.

Appeals Court upholds protection for family menaced and assaulted by neighbor

The Massachusetts Appeals Court upheld a Harassment Prevention Order that CAIR-MA's attorney obtained on behalf of a Muslim family. Our clients had been subjected to a lengthy **campaign of intimidation** directed at the parents and their young children by an Islamophobic neighbor, coming to a head when the neighbor **swung a ladder at the father**, barely missing him. The neighbor appealed the lower court's order. The family was vindicated with their victory and hopes that the Appeals Court's decision will protect other Muslim families who are targeted.



CAIR-MA attorney Barbara J. Dougan exits the courthouse after successfully defending a court order protecting a Muslim family.

Muslim worker attacked while on the job

CAIR-MA's attorney represented a young man at a court hearing concerning a job-related attack. While our client was stocking shelves for an outside vendor, a store employee apparently became enraged that a Muslim man was in his way and **repeatedly punched him, knocking him to the floor**. Our client was left bleeding and bruised, and needed stitches for a facial injury. Under Massachusetts law, an assault and battery charge can be resolved by payment of money, which is what we negotiated with the perpetrator and his lawyer. That money paid for only part of our client's medical bills so we then filed a claim for victim compensation with the Attorney General's office to cover the balance, which is pending.

Disabled woman assaulted in grocery store

A young Muslim woman who is disabled was standing in line at her local grocery store when another shopper repeatedly **shoved her cart into our client** and told her to **"go back where you came from."** CAIR-MA's attorney represented the victim at a court hearing to determine whether her assailant would be charged with a crime. The court **agreed with our recommendations** to hold the case open for a year to ensure that the assailant did not repeat her actions, and to order her to stay away from the grocery store during that time.

City Councilor accosted, husband allegedly assaulted

Melrose City Councilor-at-Large Maya Jamaledine was accosted at a gas station, where a woman in the car next to her reportedly yelled, “What are you looking at, you terrorist

Arab? Go back to your [expletive] country!”



Melrose City
Councilor-at-Large
Maya Jamaledine.

However, Melrose voters clearly want Jamaledine right where she is: the

first Muslim elected to citywide public office. When the councilor’s husband confronted the woman, she allegedly **shoved him so she could take a photo of their car,** with the couple’s frightened children inside. CAIR-MA’s attorney consulted with police and prosecutors about possible criminal charges, decisions that will be made in 2023. **Melrose City Councilor Maya Jamaledine said:**

“It’s one thing to be the advocate and totally different when you are the victim. I have encountered racism in the past, but never to this extent, where my kids witnessed it and felt unsafe in their own community.”

It was heartening to see that **bystanders stood up for the victims** in these last two cases. Employees at the grocery store followed the assailant as she left the store and got her license plate number, which is how the police identified her. During the gas station incident, other customers stepped forward to comfort the frightened children.

Anti-Muslim Discrimination

Workplace issues

CAIR-MA helped Muslim employees navigate a wide range of workplace issues, including:

- ❖ Advising a newly arrived Afghan refugee on the best way to approach prospective employers about **prayer times at work;**
- ❖ Exploring a state employee’s options after he was terminated by a state agency with a history of **Islamophobic harassment;**
- ❖ Helping a Muslim bus driver request a **COVID vaccine exemption** on religious grounds;
- ❖ Explaining the law on religious accommodations to a **Muslim teacher** who wanted to adjust her schedule on days when she would be fasting.

Public accommodations

McDonald's tries to explain that fish sandwich full of bacon

As we reported in 2021, employees at a McDonald's restaurant added three to four strips of bacon to a fish sandwich for a 7-year-old Muslim child, despite his mother's explicit request for a plain sandwich — she was worried about condiments; the possibility of pork never occurred to her. In 2022, CAIR-MA filed a **public accommodations discrimination case** on the mother's behalf at the Mass. Commission Against Discrimination (MCAD). **From our press release:**

“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.”



Remains of fish sandwich with bacon served to Muslim child.

In its response, McDonald's offered several dubious explanations, including:

- ❓ The cashier could not hear the mother because the cashier was wearing a face mask and somehow misunderstood a request for a plain sandwich to mean “add bacon”;
- ❓ The cooks added only the standard amount of bacon (two half-strips);
- ❓ But even if the cooks added extra bacon, they just wanted to be generous to their Muslim customer.

We were able to refute McDonald's claims with **photos and affidavits** from our client, who had not been wearing a face mask, and from observers who documented the layout of the store, their ability to communicate easily with the cashier, and how bacon “add-ons” are handled. We are now waiting for MCAD to decide if there is probable cause to believe that illegal discrimination took place.

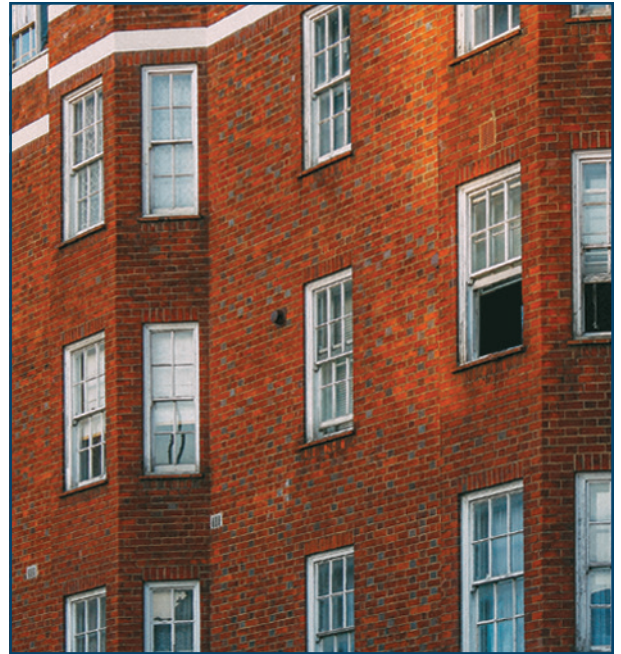
Library reverses position on Arabic language story hour

A group of Muslim mothers who organized an informal Arabic-language story hour for their children was shocked when their local library told them they could no longer meet there. The library staff gave **inconsistent and questionable reasons for the decision**, including an unwritten

policy that had never been mentioned. We advised the group on how to frame their arguments when appealing to the library to rescind its decision. The library not only reversed its decision but offered to co-sponsor the program.

Housing discrimination

A Muslim family repeatedly complained to the police and their landlord about harassment by another household in their apartment building, but to little avail. So the Muslim family went to court and filed for a Harassment Prevention Order (HPO) for protection. As so often happens, the other side then filed their own request for an HPO. Unfortunately, the judge only issued an HPO **against the Muslim husband, even though he was usually at work** when most of the incidents alleged by the neighbors took place. CAIR-MA was unable to take the case, but our attorney drafted legal pleadings for the family to file on their own, asking the judge to reconsider her decision. Unfortunately, the judge kept the HPO in place.



Travel Abuse

CAIR-MA complaints put an end to mistreatment of Muslim family

In one of the most egregious travel cases we have seen, a Muslim family was treated so abusively by government employees at Boston's Logan Airport that they were **forced to abandon their plans to board their flight.** They faced a gauntlet of delays and harassment, including a very public search when going through security — two lines were closed down, suggesting our clients were particularly dangerous — and seizure of a teenaged daughter's laptop. At the gate, their carry-on bags were searched a second time and they were ordered to stand apart from other passengers.

Just as they made it into the jetway to their plane, Customs agents arrived. They demanded to count the cash the father was carrying (which was within the amount allowed) and **seized his phone,** which contained their flight and hotel information. At that point, the frightened and exhausted family realized they could not leave the country without this critical information — and gave up. Completing their humiliation, **state police officers were summoned to escort the family back to the airport lobby.** Afterwards, they were too traumatized even to leave their home for several days.

CAIR-MA's attorney filed complaints with the U.S. Dept. of Homeland Security on behalf of **each of the five family members.** It was important for the federal government to hear from the three daughters as well as their parents. Homeland Security notified us that the family's complaints had been investigated but, as is its policy, did not state why they had been targeted or if any remedial action had been taken on their behalf. But when the father flew overseas several months later, he had **no problems.** Nothing in the family's situation had changed, so we must conclude that our vigorous advocacy made the difference.

Prisoners' Religious Rights

Joining coalition efforts for prison and parole reforms

Although these actions were not specific to Muslim prisoners, CAIR-MA joined three coalition efforts to improve public safety.

- ❖ We joined over 50 organizations in submitting testimony to the state's Special Commission on Department of Correction and Sheriff's Department Funding, calling for **smarter spending on prisons**. The state's prison population is at an all-time low, yet staffing and salaries remain the same. Although it costs on average \$120,000/year to incarcerate someone in Massachusetts, most of that money is for salaries, with little spent on education, training, or rehabilitation for prisoners.
- ❖ We urged the legislature's Judiciary Committee to support bills that would **reduce the racial disparities in the parole system**, such as ending the practice of sending those on parole back to prison when accused of non-criminal "technical" violations, which often results in the loss of jobs and housing while awaiting a hearing.
- ❖ We signed on to a letter to the legislature's Committee on Public Safety & Homeland Security in support of bills that would make additional improvement to the parole system, including **expanding the Parole Board** to include members with an expertise in mental health and substance use disorder.



2022 Ramadan Prison Project

As we now do every year, we sent letters to Massachusetts' state prisons (run by the Dept. of Correction) and county houses of correction (run by local sheriffs), advising them of the expected dates of Ramadan and their legal obligations. Fortunately for Muslim prisoners within the state prison system, the Dept. of Correction has **Muslim chaplains** on staff. We salute them for their dedication year-round, but especially for ensuring that Muslim prisoners are able to faithfully observe Ramadan.

Other Issues

Foster parents impose religious beliefs on Muslim child

A young Muslim child was placed in foster care after the death of his mother. The foster parents appeared to be **intentionally undermining the child's religion** by giving him Bible lessons and feeding him pork, and perhaps even trying to convert him to Christianity. We advised the child's distressed uncle about his legal options under the state's kinship laws.

Gun permit renewal denied

A Muslim man who carries a firearm for protection while on the job was denied a gun permit renewal, due in part to **racist/Islamophobic neighbors** who called the police on him in 2020 (a matter that CAIR-MA was involved in). We researched the appeal process and found lawyers in his area who handle Second Amendment cases.

Pro bono lawyer helps student barred from campus

We are most grateful to the lawyers who step forward to take cases that CAIR-MA is unable to handle. Amherst attorney **Jennifer Nye** generously agreed to represent a Muslim college student who was given a "no trespass order" by campus police following a minor incident. The order is **preventing him from finishing his degree.**

How to Support Us

Show Your Support

- ❖ Sign up for our mailing list: www.cairma.org
- ❖ Follow us on Facebook: www.facebook.com/CAIRmassachusetts
- ❖ Follow us on Instagram: www.instagram.com/CAIRmass
- ❖ Follow us on Twitter: www.twitter.com/CAIRmass

Give Your Time

- ❖ Volunteer your talents: www.cairma.org/employment
- ❖ Intern with CAIR-MA: e-mail us at info@ma.cair.com

Financial Contributions

Make a general donation to support our legal and advocacy work at www.cairma.org/donate

Our New Mailing Address

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Acknowledgments

We could not do it without you! CAIR-MA is profoundly grateful to the many people and organizations that make it possible for us to serve Massachusetts' Muslim community. **Thank you to:**

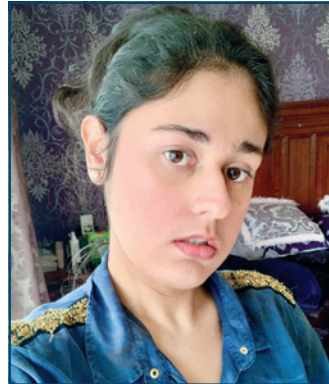
Our legal Interns, whose skills and enthusiasm give us hope for the next generation of lawyers.



Ana Amores,
student
UMass Law School



Tiffany Igwe,
student
UMass Law School



Mutahira Khan,
law graduate
Dubai, UAE



Zofishan Zahid,
student
UMass Law School

The Rahman Family Internship Fund, created by the Rahman family from the Greater Boston area, which provided funding for our summer interns.

CAIR-MA's Board of Directors

- ❖ Yasmin Abdulatheem
- ❖ Raheela Rahman, Esq.
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- ❖ Mouaad Lebeche

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- ❖ The Cummings Foundation
- ❖ The Hyams Foundation



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