

Amplifying Voices for Justice

The Council on American-Islamic Relations - Massachusetts

2023

civil rights report



Amplifying Voices for Justice

2023 CIVIL RIGHTS REPORT

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Ready to learn more?

Visit cairma.org to download the interactive PDF of our 2023 Civil Rights Report, which includes clickable links to related stories.



Above: TOP — Rev. Corey J. Sanderson, CAIR-MA board president, spoke at the "Our Faith Demands Ceasefire" rally in Boston. Also shown: Raheela Rahman, CAIR-MA board member, and Tahirah Amatul-Wadud, CAIR-MA executive director.

BOTTOM — CAIR-MA greeted the public at the annual New England Muslim Festival in Medford.

On the cover: TOP — Barbara J. Dougan (at left, with microphone), CAIR-MA legal director, spoke at a demonstration following the shooting death of Sayed Arif Faisal by the Cambridge police in January 2023. [Read more on page 9.](#) Photo by Tom Week/Cambridge Day, used with permission.

BOTTOM — In November 2023, the Boston Coalition for Palestine shut down Massachusetts Avenue as they demanded a ceasefire in Gaza. Photo by Lita Xú Líng Kelley, used with permission.

Overview

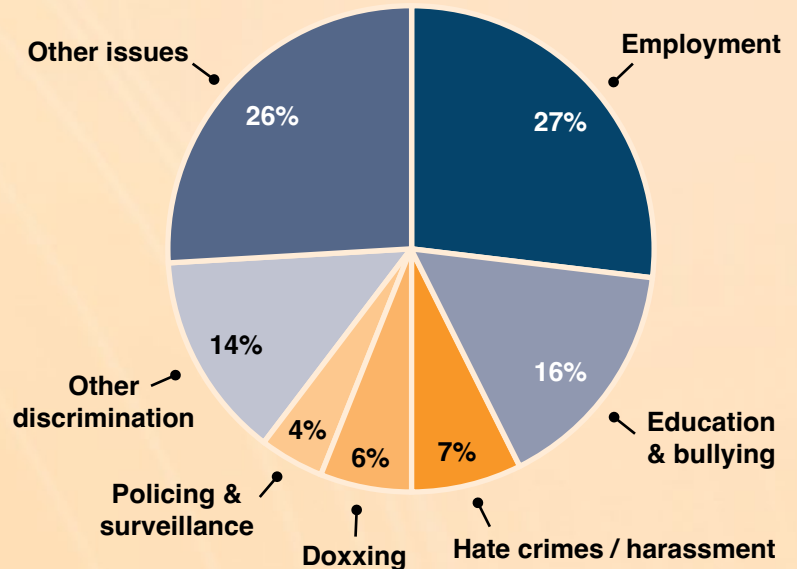
A devastating year for a determined community

For Muslims in Massachusetts, 2023 unfolded as a year marked by adversity. It was bookended by the tragic fatal police shooting of young Sayed Arif Faisal in January and the local repercussions of the humanitarian crisis in Gaza at the end of the year. October ushered in a deluge of challenges with the onset of the Gaza conflict. In the fourth quarter alone, there was an unprecedented surge, with 145 calls for help, 78% of which were tied to the Gaza crisis – a staggering record.

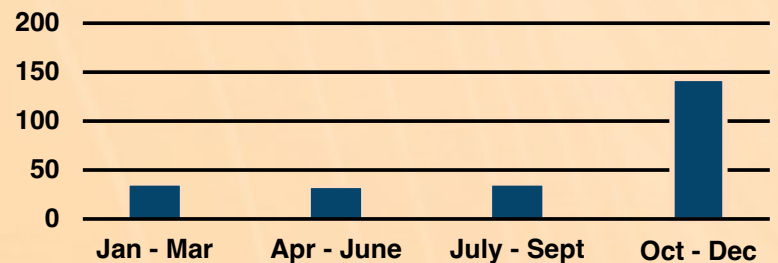
CAIR-MA was inundated with 249 requests for legal assistance in 2023, doubling the figures from 2022 and marking the highest number of calls for help since our inception. Notably, over 20 calls emanated from various groups, comprising employees, students, parents, and local residents. It is with profound honor and humility that we acknowledge the trust placed in CAIR-MA by the Muslim community, having supported well over 500 individuals during this tumultuous year.

- ❖ Reports of hate crimes increased by 40%, from 12 in 2022 to 17 in 2023. This continued an alarming upward trend that started in 2022, after several years of diminishing numbers.
- ❖ The most dramatic spike, however, was the number of calls for help with employment issues, which increased by 385%, from 14 in 2022 to 68 in 2023.
- ❖ While Muslim parents struggled in the workplace, their children continued to suffer serious discrimination and bullying in school. The number of education-related complaints doubled, from 20 in 2022 to 41 in 2023.
- ❖ Finally, calls for help exploded in the fourth quarter of 2023, following the onset of the war in Gaza. See our special section that follows.

Community needs in 2023



Requests for help in 2023





Impact of the War in Gaza

The war in Gaza had a profound effect on Massachusetts' Muslim community (and which continues in 2024). It affected almost every area of law we handle – and added a few new ones, including the potent weapon of “doxxing” that was unleashed against critics of the Israeli government.¹

More victims of hate crimes and harassment asked for help after the onset of the war than in all of 2022.

- ❖ A young Muslim woman was attacked by an older male co-worker, who tried to forcibly unzip her uniform vest. She was wearing a scarf with the colors of the Palestinian flag, but had tucked it under her hijab and blouse so it could not be seen while on the job.
- ❖ When a Muslim customer at a café pointed out that he had been given the wrong order, a male employee became furious, swearing and screaming at the customer, then chasing him with scissors. The police arrested the employee at the scene. Afterwards, the victim noticed a sign posted on the store's window that said, “Glory to the army of Israel.”
- ❖ In a widely circulated video, a woman can be seen following and harassing a Muslim student who was leaving a building on Harvard University's campus. She accused the student of “making families feel unsafe with [her] terrorist scarf,” referring to the student's keffiyeh, the traditional Palestinian scarf.²
- ❖ Many other callers reported threats, menacing behavior, and assaults related to the war in Gaza, although the perpetrators were not identified. Callers included a Muslim woman who needed an escort to her car after she was followed into a store by a man who threatened her about Gaza and her hijab, a Palestinian woman whose car was smeared with feces, a Muslim father who received sexually explicit threats against his activist daughter, and a Muslim woman who was spit upon by a group of young men on her bus.

In the workplace, many employers issued pro-Israel statements that ignored the staggering loss of life in Gaza. We created a sample letter for employees who were willing to risk responding, noting the war's effect on Arab and Muslim workers as well as the need for an even-handed approach in the workplace.

¹ Doxxing is the malicious release of someone's personal information, usually by online posting, which is done to generate harassment, threats, and harm.

² The three college students who were shot in Vermont in November were also wearing keffiyehs.



As the war progressed, we saw anti-discrimination policies being used against our clients, mainly people of color, as support for Palestinian human rights, even outside of the workplace, was falsely equated with antisemitism.³ As a result, some employees paid a heavy price for criticizing a foreign government.

- ❖ A physician who created a nonprofit organization to assist low-income patients posted on social media about the war in Gaza. In response, anonymous critics flooded the nonprofit's board and donors with false claims of antisemitism, resulting in a loss of funding and resignations from her board.
- ❖ Several law students had job offers rescinded in light of their pro-Palestinian activism on campus.
- ❖ A teacher who led diversity efforts at her school mentioned to other staff her concerns about the effect of pro-Israel statements on Muslim and Arab students. School officials characterized her remark as “hateful” and penalized her for acting in an “offensive, antisemitic, discriminatory, disrespectful and unacceptable” manner.
- ❖ A young Palestinian employee had successfully moved up the ranks at her job for the last few years. But as soon as she mentioned attending a rally for Palestine, she was never scheduled for any further hours, forcing her to look for work elsewhere.

Students of all ages were affected by the war. Younger students, already struggling to comprehend events in the Middle East, were bullied by their peers and even targeted by their teachers. The greatest wave of activism in support of Palestine took place on college campuses – and was also met with the harshest backlash.

- ❖ Several public schools issued one-sided statements supporting the Israeli government, recognizing only the grief and fear of their Jewish students while ignoring the same impact on their Muslim and Arab students. We drafted a sample letter for parents to adapt for their children's schools, reminding school officials of their legal obligation to meet the needs of all students, regardless of religion or national origin.
- ❖ Harvard University was “ground zero” for the epidemic of doxxing that slammed pro-Palestinian activists, falsely labeling them “Harvard's leading antisemites” and much worse. The students were inundated with threats and slurs, leading many to fear for their safety. While much of the online harassment was from anonymous sources, one organization proudly claimed ownership of the infamous “doxxing trucks” with large LED screens showing students' names and faces.

³ To be clear, CAIR has always and unequivocally [condemned antisemitism](#).



- ❖ We joined forces with the National Lawyers Guild’s [Massachusetts chapter](#) to coordinate requests for help with [college-level disciplinary hearings](#) in response to pro-Palestinian activism. We created a referral list of lawyers who handle disciplinary cases. However, most students cannot afford to hire a lawyer, so we are in the process of creating “know your rights” materials about school discipline hearings.

We were contacted by residents of two communities where the town flew the Israeli flag on public property while their requests to fly the Palestinian flag were met with controversy and special public hearings.⁴ Yet First Amendment law is clear that a local government cannot favor a particular political viewpoint.

- ❖ In North Andover, town officials [approved](#) a college student’s request for the Palestinian flag to be flown after the Israeli flag was raised. In response, local residents [doxxed the student](#), which led to threats, harassment, and even a complaint to her college, seeking to have her disciplined for exercising her right to petition the government.
- ❖ When a community group in Milton asked for the [Palestinian flag to be raised](#), elected officials’ responses ranged from an [outright refusal](#) to suggesting alternatives, such as flying a peace flag or calling for dialog. In the end, the town took down the Israeli flag.



Interfaith demonstrators march to the offices of U.S. Rep. Jake Auchincloss in Attleboro.

⁴ Residents of [Worcester](#) also succeeding in getting the town to raise the Palestinian flag, after the Israeli flag was flown.

Woman sentenced for assaulting City Councilor's husband

A woman shouted anti-immigrant slurs at Melrose City Councilor Maya Jamaledine at a gas station and then assaulted her husband. We provided **victim advocacy**, including consulting with the District Attorney's

office over the appropriate charges and helping the Jamaledine family draft a Victim Impact Statement for the perpetrator's **sentencing**. The perpetrator, who had no prior criminal record, was given six months' probation and ordered to take an online class about Muslims in America.



CAIR-MA Legal Director Barbara J. Dougan, City Councilor Maya Jamaledine, and Abdallah Jamaledine spoke to the press outside Malden District Court.

High school student attacked by other teens

A Muslim student was attacked by two teenaged girls who grabbed her hair and **slammed her head against a wall**, threw her to the sidewalk, and kicked her. The student suffered a split lip and bruises. The assailants' friends posted video of the attack on social media, which helped police identify the two teens.

Bill to overhaul hate crime laws

In December, we **opposed a state bill** that would merge two existing hate crime statutes. Presumably, the bill is intended make it easier to prosecute hate crimes, but it would wipe out over 40 years of case law – or, at the very least, create confusion as to the value of prior court decisions. This was a good example of “don't fix what's not broken.”

CAIR-MA joins major lawsuit against the federal terrorism watch list

CAIR's [latest challenge](#) to the government's secret terrorism watch list was filed in Boston on the [20th anniversary](#) of the creation of the watch list. This effort was spearheaded by CAIR National and joined by CAIR-MA, CAIR-NJ, and CAIR-MI. Among the 12 plaintiffs are a Massachusetts man

and a New Hampshire resident. Like the estimated 1.5 million people on the watch list, both men have been secretly designated a "known or suspected terrorist," even though they have never been accused of any crime and have no way to contest a label that often causes great harm.

With each case that CAIR litigates, we learn more about how the watch list works. As described in the 185-page complaint, we now know that:

- ❖ Over 98% of the names on the list are Muslim names, while the Dept. of Justice's own analysis shows that less than 1% of those on the list are under active investigation for terrorism.
- ❖ Even when someone is taken off the watch list, their prior placement on the list follows them indefinitely, often with serious consequences. In other words, they become permanent second-class citizens.

Working with Congress to end the watch list

We joined CAIR National in a meeting with aides to U.S. Sen. Elizabeth Warren, in response to the Senator's request for more information about the federal government's terrorism watch list and its discriminatory focus on Muslims. The Senator and several other members of Congress then sent a letter to the Biden Administration, asking for extensive data about the workings of the watch list.

Aggressive surveillance on domestic flights

For those on the terrorism watch list, their mistreatment typically occurs when leaving or returning to the U.S., at the hands of both the Transportation Security Administration (TSA) and Customs & Border Protection. Unfortunately, in 2023 we saw this kind of harassment expand to domestic flights. One Muslim professional is routinely met at the boarding gate by five TSA agents who subject him to public and humiliating searches, even though TSA already did the same thing to him at the security checkpoint. He has become increasingly fearful of traveling for work, which is affecting his job.



The CAIR-MA team at the Boston press conference announcing the watch list lawsuit.

Policing & the Criminal Legal System

Cambridge police kill college student

Sayed Arif Faisal, a 20-year-old Bangladeshi college student, was [shot and killed](#) by the Cambridge police in the midst of his having a mental health crisis. The incident attracted [international attention](#). CAIR-MA helped his devastated family by acting as their [media contact](#), representing family members at investigative interviews with the District Attorney, and recruiting a police misconduct lawyer to represent the family at the [inquest](#) (an independent investigation by the courts). We also offered the family's perspective at a [legislative hearing](#) concerning a [bill](#) to fund unarmed civilian organizations that are trained to respond to people in crisis. In October, the judge presiding over the inquest [found](#) that the police officer should not be charged with a crime. The family still has the option of filing a civil lawsuit.

We were honored to work alongside our friends at [Muslim Justice League](#), who addressed the grief and fears of Cambridge youth, and the [Bangladesh](#)

[Association of New England](#) (BANE), many of whom had known Sayed since he was a youngster and have been relentless in their efforts to keep public attention focused on this tragedy.

New trial ordered for Muslim man represented by racist, Islamophobic defense attorney

CAIR-MA joined a “friend of the court” brief organized by [Lawyers for Civil Rights](#) in support of an African American Muslim prisoner who discovered, years after his conviction, that his defense attorney had been making virulently [racist and Islamophobic social media posts](#) during the course of his representation. Massachusetts' highest court [ruled](#) that the defense attorney's racism and Islamophobia so “infected” his representation that a new trial was needed. We issued a [press release](#) welcoming the court's decision and were quoted in a Boston Globe [editorial](#).

Workplace Discrimination

State agency backs off

Despite good annual evaluations, a long-term Muslim state employee has been forced for years to defend himself against unfounded disciplinary action and [accusations of being a terrorist threat](#) from certain people within his agency. We sent a demand letter to his employer, recounting the history of harassment and warning of further legal action if the harassment continues. So far, he is being left in peace to do his job.

Eid accommodations for employees

We worked with employees whose requests for time off were denied. While Massachusetts law protects the [right to attend religious services](#), it is not an absolute right and must often be negotiated. In one case, a physician was able to attend early morning services before going to work.

Protecting Students



Ensuring a successful Ramadan for K–12 students

In March, we created an informational handout for parents to give to their children's schools, to help staff understand their Muslim students' rights as well as their practical needs. We also created a template for parents to use when requesting religious accommodations for their children.

Calling out hostile teachers

We advised numerous parents whose children were targeted by teachers by way of unfair accusations of misconduct or singling out their children for embarrassment in the classroom. One family that could not afford a private school was finally able to remove their child from a toxic environment when a neighboring school district agreed to accept the child.

Appreciation

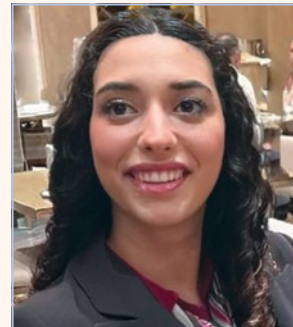
CAIR-MA is grateful to the Rahman Family Internship Fund, created by the Rahman family from the Greater Boston area, which provides funding for our legal interns. In exchange for our interns' invaluable help, we are proud to nurture the next generation of Muslim lawyers and community leaders.



Ana Ali, Northeastern University Law School



Yasmin Khan, UMass Law School



Riana Yaman, UMass Law School

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to read our 2023 Annual Report, "Refusing to be Silenced"