



Department of Justice

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FACT SHEET: PROTECT THE CIVIL RIGHTS OF AMERICAN MUSLIMS OUTREACH AND ENFORCEMENT EFFORTS

The Department of Justice is actively working to protect American Muslims, as well as members of the Arab, Sikh and South Asian communities, from threats and violence directed at them because of their religion or ethnicity, and to prevent acts of discrimination against them in the workplace, schools, and many other areas.

Hate Crimes

Since 9/11, the Department of Justice has investigated more than 800 incidents involving violence, threats, vandalism and arson against persons perceived to be Muslim or to be of Arab, Middle Eastern, or South-Asian origin. The Civil Rights Division and U.S. Attorneys offices have brought prosecutions against 50 defendants in such cases, with 46 convictions to date. Additionally, DOJ attorneys have coordinated with state and local prosecutors in numerous non-federal criminal prosecutions, in many cases providing substantial assistance.

Examples of prosecutions:

- On February 23, 2011, an Arlington, Texas, man pleaded guilty to setting fire to playground equipment at a mosque in July 2010.
- An Illinois man pleaded guilty on August 11, 2010, to sending a threatening email to a mosque in Urbana, Illinois. He was sentenced on November 3, 2010 to 12 month's incarceration.
- Three Tennessee men pleaded guilty to spray painting swastikas and "white power" on a mosque in Columbia, Tennessee, and then starting a fire that completely destroyed the mosque. In 2009, two of the men were sentenced to more than 14 and 15 years in prison. In 2010, the third was sentenced to more than 6 years in prison for his role in the crime.
- On March 11, 2010, a husband and wife were convicted of harassing with ethnic slurs and assaulting an Indian-American couple while they were using a public beach in South Lake Tahoe. The male victim suffered multiple broken facial bones. On June 30, 2010, the defendants were sentenced to 18 months incarceration each.

Other Civil Rights Enforcement

The Department of Justice enforces a wide range of laws protecting against discrimination based on religion and ethnicity.

- *Employment Discrimination:* The Department is working to protect the fundamental American value of free exercise of religion, and ensuring that Americans are not forced to decide between their faith and their jobs. Title VII of the Civil Rights Act of 1964 contains a “reasonable accommodation” provision requiring employers to reasonably accommodate employee’s religious observances and practices unless doing so would create an undue hardship on the employer.
 - The Department is currently suing the New York City MTA over its refusal to permit Muslim and Sikh bus and subway drivers to wear religious headcoverings on the job. The case was filed in 2004.
 - On November 12, 2010, the Department reached a consent decree in a case involving a Muslim correction worker in Essex County, New Jersey who had been fired for refusing to remove her headscarf.
 - Oregon Religious Clothing Ban: In response to an Oregon law passed in July 2009, reaffirming a provision banning school teachers from wearing any “religious dress,” purportedly on separation of church and state grounds, the Civil Rights Division opened a Title VII investigation. The law could have prevented Muslims, Sikhs, and Jews from wearing religious headcoverings, Christians from wearing crosses, and other draconian results. The Division closed the investigation in April 2010, after the state repealed the law.
 - On December 13, 2010, the Department filed a complaint against the Board of Education, Berkeley School District 87 for discriminating against a Muslim teacher on account of her religion in violation of Title VII. The complaint alleges that the teacher requested, as a religious accommodation, but was denied an unpaid leave of absence from December 1, 2008 to December 19, 2008, or 15 work days, to perform Hajj, a pilgrimage required by her religion.
- *Education Discrimination:* The Department has investigated many cases of harassment of Muslim students. The Department is working closely with the Department of Education on various anti-bullying initiatives.
 - The Department reached a settlement in 2005 in a case in Cape Henlopen, Delaware, in which a teacher singled out an elementary student because she was Muslim. The teacher’s actions had led to severe harassment by other students.
 - The Department reached a settlement in 2007 with a Texas school district to allow Muslim students to pray together at lunchtime in a room in which other students were permitted to gather for various nonreligious uses.
 - In January 2010, the Department sent a letter to the Lewiston, Maine, school district regarding a complaint that a Muslim student was not permitted to pray. The school changed its policy to allow the student to pray on school grounds.
 - The Department intervened in 2004 on behalf of a Muslim schoolgirl in Oklahoma who was suspended for wearing a hijab, or headscarf. The matter was resolved by a consent decree that allows the student to wear the headscarf, and

requires the school to consider requests for religious accommodations from other students.

- *Use of Land for Religious Purposes:* The Department has been active in protecting the rights of mosques and Islamic schools under the Religious Land Use and Institutionalized Persons Act (RLUIPA).
 - In 2009, the Civil Rights Division closed its investigation of Wayne Township, New Jersey, in which the municipality delayed a mosque's building permits for several years, and then tried to use its eminent domain power to seize the land to leave it undeveloped. The Civil Rights Division in 2007 filed a brief with the federal district court arguing that RLUIPA applied to the case, and the court agreed.
 - In October 2010, the Department filed a friend-of-the-court brief in a Tennessee state court proceeding in which neighbors of a proposed mosque challenged the county's granting of a building permit. The neighbors argued that the county was wrong to treat the mosque in the same manner that it would treat a church. The Department's brief argued that RLUIPA required such equal treatment. The court agreed in a decision on November 17, 2010.
 - Of 24 RLUIPA matters involving mosques opened by the Civil Rights Division since 9/11, 14 have been opened in the past ten months.

- *Access to Public Facilities:* The Department initiated an investigation of the Georgia courts after receiving complaints that three Muslim women had been barred from courthouses for wearing headscarves. The Department closed the review in August 2009, after the courts modified the policy to permit headcoverings for those with religious or medical reasons for doing so.

Outreach to the American Muslim Community

The Department recognizes that effective enforcement of the civil rights laws requires engagement with affected communities.

- The Attorney General has held a number of meetings with Muslim American leaders, including a meeting with interfaith leaders from a wide variety of faiths on September 7, 2010, addressing the recent rash of hate crimes and hate incidents against Muslims and what the Department of Justice and the faith communities could do to reduce such incidents.
- The Civil Rights Division holds a bimonthly interagency meeting that brings together top officials from federal agencies and leaders of the Muslim, Arab, Sikh and South Asian communities to address civil rights issues.
- The Attorney General has made engagement with the Muslim-American and Arab-American communities a priority, and U.S. Attorneys around the country are active in reaching out to Muslim communities in their districts, tailored to local situations and issues.

- The Department of Justice's Community Relations Service has held more than 250 town and community meetings around the country since 9/11 addressing backlash-related issues, and has deployed conflict resolution specialists to more than 50 communities to alleviate tensions in the wake of backlash incidents.