



WHAT IS CAIR-WA?

The Washington Chapter of the Council on American-Islamic Relations (CAIR-WA) is a nonprofit, grassroots civil rights and advocacy organization. CAIR-WA works to protect civil liberties, enhance the understanding of Islam, encourage civic engagement, empower American Muslims, and build coalitions that promote equal rights and mutual understanding.

KNOW YOUR RIGHTS

The U.S. and Washington Constitutions provide certain rights to all people, regardless of immigration status. This booklet provides a brief overview of some of your rights, and guidelines for responding to frequent situations. **This document is educational and is not intended as legal advice. If you have a question about your legal rights, please contact an attorney immediately.**

KNOW YOUR RIGHTS POCKET GUIDE

This guide informs American Muslims of our legal rights. These are the same rights all Americans enjoy, but the guide focuses on issues Muslims commonly face. Click here to view (<https://www.cair.com/images/pdf/Islamophobia-Pocket-Guide.pdf>)

ISLAMOPHOBIA POCKET GUIDE

This guide defines Islamophobia and explains its features, then offers steps we can all take to help challenge Islamophobia. Click here to view (<https://www.cair.com/images/pdf/Islamophobia-Pocket-Guide.pdf>)

KNOW YOUR RIGHTS IF YOU ARE BULLIED IN SCHOOL

- Send an e-mail the same day to the principal of the school detailing the incident and requesting to meet.
- File a formal complaint to the school. This form should be posted on the school website or request a copy from the administration.
- Call CAIR-WA and we will be able to assist you: 206.367.4081

KNOW YOUR RIGHTS IF YOU ARE CONTACTED BY FBI AGENTS

- Tell the FBI agents: "I don't want to speak with you without my lawyer. Please give me your business card (or if on the phone, "your full name, job title, and phone number") and my lawyer will contact you."
- Take the agents' business cards (or if on the phone, take their full name, job title, and phone number), and just end the conversation by saying, "Thank you. My lawyer will contact you. Good bye." (do not let them enter your home or business unless they have a warrant signed by a judge.)



- Call CAIR-WA at 206.367.4081 (or at 425.246.4225 outside of business hours) and ask to speak with someone in our Civil Rights Department. We will then connect you with one of our expert lawyers free of charge so the lawyer can contact the FBI agent on your behalf to make sure your rights are protected and so you don't have to answer inappropriate questions. All of these services, including the lawyer's work, are provided free of charge to you.

Do not make any promises. According to the law, law enforcement agents have the right to lie to you but it is a crime for you as a civilian to lie to law enforcement. The agents might lie to you and tell you, "You do not need a lawyer," or "are you trying to hide something?" or "having a lawyer will make things worse." These are all scare tactics. Do not let the agent pressure you into speaking with him/her without a lawyer. Simply repeat, if needed, "I do not want to speak with you without my lawyer. My lawyer will contact you. Goodbye."

As always, if you have any concerns or questions, please call us at 206.367.4081 to speak with our Civil Rights Department. Remember, all of CAIR-WA's civil rights services are confidential and provided free of charge.

KNOW YOUR RIGHTS IF YOU ARE PHYSICALLY OR VERBALLY ATTACKED, HARASSED, OR THREATENED

- Get to a safe place and call 911. Ask the operator to send police to the location of the incident so they can speak with you, see any damage and file a police report while the facts are fresh in your memory. Keep all evidence write down what happened, so you can provide these details to the police officer. Be sure to take photos of any damage and injuries, and write down names and contact information of all witnesses.
- If you believe you were targeted for your religion, race, ethnicity, accent, color of skin, or other protected status, ask the officer clearly that your case be treated as a hate crime and be sure they check the "hate/bias-motivation" or "hate crime/incident" box on the police report.
- Be sure that the police officer writes down these details in a police report and takes photos of any damage. If any threats or biased words were said (such as anti-Muslim words), be sure to have the police include these in the report.
- Be sure to get a police report number from the police officer. Also get the officer's name and badge number. If you cannot get a copy of the police report immediately, go to the police station to ask for one. Always get your own copy of the police report.
- Report to CAIR-WA at 206.367.408 or info@cairseattle.org or www.cairseattle.org/gethelp so that we can ensure your case is treated seriously by law enforcement and that the attackers face justice. We often find that anti-Muslim hate crimes are either ignored or not investigated properly until CAIR-WA contacts the authorities and if continue to follow up.



5 STEPS TO TAKE TO INTERVENE AS A BYSTANDER IN PUBLIC

- Be aware of surroundings. If you see something happening, pay attention. Take off headphones. Pause conversation. Position self to get better view and clearly understand what's happening.
- Don't call 9-1-1 immediately. Many people see police as a risk of escalation in itself. The targeted person gets to decide.
- Point out the situation to people around you. Tell them you're going to support the targeted person and ask if they'd like to help. For example, if you are in a store, call the manager.
- Video recording might make the attackers stop because they don't want to be recognized. Videos can be used as proofs later as well. Tips for video recording: Try to hold phones sideways (hotdog style), pan or move slowly, and keep your hand stable. If video recording is difficult, audio recording can also help. However, Washington is a two-party consent state, which means people must give consent, audibly or visually, to being recorded. If you are in a public space and say you're recording loud enough for those involved to hear, and the attacker continues speaking, then the recording is legal.
- Don't argue with attacker/harasser. Instead, stand between the attacker and the targeted person, introduce yourself to targeted person and quietly explain you saw what was happening and wanted to offer support. You can talk with the targeted person, offer to walk them to safe place, etc.

KNOW YOUR RIGHTS AS A STUDENT

You have the right to wear religious clothing. You also have the right to wear clothing with a religious message, as long as other clothes with similar messages are allowed.

- You have the right to inform others about your religion. You have the right to pass out literature or to speak to others about Islam, as long as it is not done in a disruptive manner.
- You have the right to organize student-led prayers on campus, as long as the service is not disruptive to the function of the school.
- You may have the right to attend Friday prayer. The Supreme Court has upheld the right of states to allow students "release time" to attend religious classes or services.
- You have the right to be excused from school for religious holidays. You should be sure to inform the school in advance that you will be absent.
- You have the right to be excused from class discussions or activities that you find religiously objectionable.
- You have the right to form an extracurricular Muslim student group.
- You have the right to express political views as long as you do not cause disruption.



KNOW YOUR RIGHTS AS AN EMPLOYEE

Federal law makes it illegal for an employer to discriminate against an employee on the basis of religion, race or national origin. Title VII of the 1964 Civil Rights Act guarantees your right to:

- Reasonable religious accommodation. The failure of an employer to reasonably accommodate your religious practices may constitute employment discrimination. "Religious practices" include prayer breaks, wearing a beard or hijab, going to Jummah (Friday) prayers, going to Hajj, etc.
- Fairness in hiring, firing, and promotions. Your employer is prohibited from considering race, national origin or religion when making decisions affecting your work.
- A non-hostile work environment. Your employer must ensure that you are not subjected to anti-Muslim insults, harassment or unwelcome and excessive proselytizing.
- Complain about discrimination without fear of retaliation. Federal law guarantees your right to report an act of alleged employment discrimination. It is illegal for your employer to retaliate against you for your complaint.

If you believe you are facing discrimination at work:

- Remain calm and polite.
- Inform the offending party that you believe his/her actions are discriminatory.
- Report the discriminatory action in writing to company management.
- Begin documenting the discrimination by saving memos, keeping a detailed journal, noting the presence of witnesses and making written complaints. Make sure to keep copies of all materials. It is important to keep a "paper trail" of evidence.
- Ask to be transferred to another department or job site.
- Ask for mediation.
- DO NOT sign any documents or resign from your position without first consulting an attorney.
- Contact CAIR at 206.367.4081 or e-mail at info@cairseattle.org or through our civil rights complaint form.
- Contact the Equal Employment Opportunity Commission (EEOC)

KNOW YOUR RIGHTS IF YOU ARE VISITED BY FEDERAL LAW ENFORCEMENT AGENTS

American Muslims support the law enforcement officials in their mission to protect us from crime and terrorism. All Americans have a civic duty to report criminal activity in their communities to authorities. At the same time, American Muslims are frequently the subject of baseless law enforcement investigations for doing nothing more than practicing their faith. If visited by law enforcement, remember:

- You have the right to have a lawyer present when speaking with law enforcement officials or if you have been detained. This right is yours even if you are not an American citizen. You also have the right to remain silent.
- Lying to law enforcement agents can be a federal crime, punishable by fines and/or imprisonment. "OFFICER, DO YOU HAVE A WARRANT?" Law enforcement officers must have a



warrant to enter your home, except in emergency situations. Politely ask to see a warrant before allowing an agent to enter. If a warrant is present, tell the agents that you do not consent to any additional search beyond the warrant's scope. Ask for a business card with the officers' contact information, as well as a receipt for any items removed.

KNOW YOUR RIGHTS IF STOPPED BY A POLICE OFFICER

In any encounter with police, the law requires that you identify yourself and produce government-issued identification, if asked. If you do not do so, you may be arrested. You do not have to answer any further questions, even if you are detained.

- **On the street:** Officers may not stop you without reason. You must identify yourself, but you do not have to answer further questions. Officers may pat you down over your clothing if they suspect that you are armed. Ask if you are under arrest, or free to leave. If you are free to leave, walk away. If you are mistreated in any way, contact CAIR-WA immediately after you leave the scene.
- **In your car:** Keep your hands where they are visible and do not make sudden movements. You must produce your license, registration, and proof of insurance, if asked. You do not have to consent to a search. In the event police do search your car, state clearly and calmly that you do not consent.
- **At a police station:** You have the right to a lawyer and one phone call. If you cannot afford a lawyer, the government must provide one. Assume all rooms within the police station are being recorded (except when with your attorney).
- **If mistreated:** Do not resist. Note abusers' identification numbers and identifying characteristics. Find witnesses and record their contact information. Contact CAIR-WA ASAP.
- **If you are under 18:** You have the right to ask for a parent as well as a lawyer during police questioning.

KNOW YOUR RIGHTS IF YOU ARE CONTACTED BY DHS

The Department of Homeland Security (DHS) includes the U.S. Citizenship and Immigration Services (USCIS), the Bureau of Customs and Border Protection (CBP) and the Bureau of Immigration and Customs Enforcement (ICE).

If you are not a citizen and you are contacted by the Department of Homeland Security (DHS) or other U.S. immigration officials, remember:

- **The law requires you to carry your registration documents with you at all times.** If you do not produce them, you may be arrested.
- **Never sign anything without reading and understanding it.**
- **You have the right to an attorney** who can visit you and represent you in immigration hearings. It is a good idea to carry the contact information of an immigration attorney. You can also call CAIR-WA at 206.367.4081 or e-mail at info@cairseattle.org.
- **Officials may not ask you improper questions about your religion,** political beliefs, membership or donations to any group, or past travels.



KNOW YOUR RIGHTS AS AN AIRLINE PASSENGER

As an airline passenger, you are entitled to courteous, respectful and non-stigmatizing treatment by airline and security personnel. It is illegal for law enforcement officials to perform any stops, searches, detentions, or removals based solely on your race, religion, national origin, sex, or ethnicity.

If you believe you have been treated in a discriminatory manner, you should:

- Ask for the names and ID number of all persons involved in the incident. Be sure to write down this information.
- Ask to speak to a supervisor.
- Politely ask if you have been singled out because of your name, looks, dress, race, ethnicity, faith, or national origin.
- Politely ask witnesses to give you their names and contact information.
- Write a statement of facts immediately after the incident. Be sure to include the flight number, the flight date and the name of the airline.
- Contact CAIR to file a report. If you are leaving the country, leave a detailed message with the information above at 206.367.4081 or e-mail at info@cairseattle.org

It is important to note the following:

- A customs agent has the right to stop, detain and search every person and item.
- Screeners have the authority to conduct a further search of you or your bags.
- A pilot has the right to refuse to fly a passenger if he or she believes the passenger is a threat to the safety of the flight. The pilot's decision must be reasonable and based on observations, not stereotypes. (*Special thanks to the American Civil Liberties Union.*)

No-Fly List and Selectee List

Individuals experiencing difficulties during travel at airports, train stations or U.S. borders may be on either the no-fly or selectee list. It is very difficult to determine if you are on one of these lists. You may be on the selectee list if you are unable to use the internet or the airport kiosks for automated check-in and instead have to check in at the ticketing counter. You should eventually be permitted to fly.

The no-fly list, on the other hand, prohibits individuals from flying at all. If you are able to board an airplane, regardless of the amount of questioning or screening, then you are not on the no-fly list. If you are constantly subjected to advanced screening or are prevented from boarding your flight, you should file a complaint with DHS TRIP at www.dhs.gov/trip. Most people who file with DHS TRIP are not actually on a watch list and that service can resolve most problems.

Contact CAIR-WA at 206.367.4081 or e-mail at info@cairseattle.org to file a report if you are experiencing difficulties traveling.