

August 4, 2005



## **American Know Your Rights Coalition Press Briefing**

Yesterday the Iranian American Know Your Rights Coalition launched the Iranian American Know Your Rights campaign in Northern California. Iranian and American press gathered at the San Francisco offices of the National Legal Sanctuary for Community Advancement to learn about the efforts underway by various civil rights organizations around the country to ensure civil and human rights are protected in the Iranian American community.

The coalition consists of the National Legal Sanctuary for Community Advancement (NLSCA), the American Civil Liberties Union (ACLU), the Iranian American Political Action Committee (IAPAC), Amnesty International, the Iranian American Bar Association (IABA), the Equal Employment Opportunity Commission (EEOC), the National Lawyers Guild (NLG), and the Lawyers' Committee for Civil Rights (LCCR). These organizations have joined together to create a safety net for the Iranian American community against various forms of discrimination. Such discrimination includes employment discrimination, No Fly lists, government Watch lists, racial profiling, security clearance denials, FBI interrogations and surveillance, and immigration discrimination.

Joan Ehrlich, District Director of the EEOC in San Francisco, voiced her concern that immigrant communities either do not know what the EEOC is or they are afraid to approach a government organization for fear of deportation. She emphasized that the EEOC's sole purpose is to investigate and prosecute cases of employment discrimination. The EEOC is the federal agency charged with enforcing Title VII which prohibits discrimination in the workplace based on race, religion, sex, national origin, age, or disability. The EEOC's investigators and lawyers will speak to victims of discrimination for free and *do not* ask about citizenship status or require any immigration documentation. The EEOC is as concerned with employment discrimination in immigrant communities as it is with discrimination against any U.S. citizen.

Since 9/11, the EEOC has filed over 900 charges of discrimination based on national origin and over 2000 charges of discrimination against Muslims. Recently, EEOC settled a case against Stockton Steel for \$1.1 million. Muslim employees at Stockton Steel were ridiculed for performing their daily prayers. Meanwhile, the company maintained a garden with a cross in it for their Christian employees to pray in. Ms. Ehrlich explained that the Ninth Circuit Court of Appeals recently declared that an employer repeatedly calling an employee with an Arabic name by an Anglicized nickname (such as "Manny" or "Hank") constitutes discrimination.

The EEOC is also starting to see cases involving security clearance denials by government agencies. While it is not clear that the EEOC can step in if the denial comes directly from a government agency (that would be the jurisdiction of the Department of Justice), if a private company is hired to perform security clearances, the EEOC may be able to assist.

The EEOC offers training and educational services as well. Groups can request EEOC investigators to conduct training programs about religious discrimination in the workplace. The EEOC is working with the Islam Project on an interactive program to create tolerance in the workplace. The program can be accessed at [www.activevoice.net/islam](http://www.activevoice.net/islam). In addition, the EEOC also has a youth website at [www.youth.eeoc.gov](http://www.youth.eeoc.gov) and the EEOC will also speak to youth groups about discrimination in the workplace.

Erin Callahan, Western Regional Director of Amnesty International, spoke about Amnesty's efforts to pass the End Racial Profiling Act through Congress. While California has laws preventing profiling based on religion or the appearance of a particular religious belief, the vast majority of states (46) do not. In San Francisco, Amnesty has met with the Police Commission, the Human Rights Commission, and the Mayor to improve laws against racial profiling. Most Bay Area Congressmen have supported the End Racial Profiling Act in the past. Senator Barbara Boxer has signed on to the Act, however Senator Feinstein has not. Senator Feinstein in the past has voiced the opinion that anti-racial profiling laws have a "chilling effect" on the effective prevention of terror. Ms. Callahan encouraged Iranian Americans to visit Amnesty's website at [www.amnesty.org](http://www.amnesty.org) for legislative actions.

Taiess Mojazza, member of the Board of Directors for IAPAC, spoke to the importance of national political action and of IAPAC's efforts to support political candidates for federal office who are sensitive to issues facing the Iranian American community. Recently, IAPAC has supported a bipartisan non-binding Resolution (H.R. 367) entitled "Condemning bigotry, violence, and discrimination against Iranian Americans." This Resolution was introduced to the House by Congressmen Marty Meehan (D-5<sup>th</sup>/MA) and Christopher Shays (R-4<sup>th</sup>/CT). Also cosponsoring the bill are Congressman Tom Feeney (R-24<sup>th</sup>/FL), Congressman John Mica (R-7<sup>th</sup>/FL), Congresswoman Carolyn Maloney (D-15<sup>th</sup>/NY) and Congressman Henry Waxman (D-30<sup>th</sup>/CA). The Resolution outlines findings in the Department of Justice Inspector General's Report of cases of discrimination against Iranian Americans including immigration discrimination, detentions without charges, abuse by prison guards, and denials of counsel. This is the first Resolution of its kind, specifically condemning discrimination against the Iranian American community.

Ms. Mojazza encouraged Iranian Americans to visit [www.congress.org](http://www.congress.org) to find out who their Congressmen are and to write their Representatives and Senators to support the passage of House Resolution 367 (H.RES 367). IAPAC also encourages Iranian Americans to approach their Representatives with immigration issues or citizenship issues as a critical part of a Representative's role is to offer assistance to his or her constituents.

The Resolution is not only supported on the federal level, but on a local level as well. San Francisco Supervisor Ross Mirkarimi (District 5) plans on introducing a Resolution in San Francisco in support of the federal Resolution. Supervisor Mirkarimi described the constant chipping away of civil rights that has been prevalent since the 1990s. Civil rights such as habeas corpus, due process in immigration cases, and immigrant rights in general have been legislatively weakened. Post 9/11, the legalized assault on various groups including Iranians, South Asians, and Middle Eastern populations is now part of the Patriot Act and Homeland Security. Citizens and residents of the United States used to be able to count on the government to protect civil rights. Supervisor Mirkarimi will submit his Resolution in San Francisco to make sure that Iranians are not discriminated against.

Shirrin Sinnar, an Equal Justice Fellow at the LCCR, spoke of an erroneous perception in the American public that the backlash following 9/11 is on a downward trend. However, the amount of phone calls received by the organizations in the Coalition belie that claim. LCCR has seen cases of employment discrimination where a restaurant manager was fired for protesting the racism of one of his customers. Middle Eastern Americans have experienced racism in retail stores where store employees have called Middle Eastern customers “terrorists” when they enter the store. LCCR sees cases of financial discrimination as well where Middle Eastern customers receive letters stating their bank accounts have been closed without explanation. Private industry now screens customer names against a government watch list called the “Specially Designated Nationals” (SDN) list that can be found on the U.S. Treasury Department’s website. The list contains Middle Eastern names as common as “Ali Khan” or “Muhammad Ali.” Right now, this is the only *publicized* Watch list. Car dealers and creditors will check their customers’ names against this list while processing a transaction. Ms. Sinnar encourages people with common Middle Eastern names to check the list and see if their name is on it. If your name is on the list, your credit report may be red flagged.

Carlos Villarreal, Executive Director of NLG in San Francisco, a bar association of progressive lawyers, students, and legal activists, encouraged all Iranian Americans who may be contacted by the FBI to seek counsel before attending any interview. Even if there is nothing to hide from the FBI, an investigation could take months or even years to complete and the FBI may contact anyone from family to employers for information. The FBI has rarely found evidence of terrorist activities through these interviews. The best way ensure civil rights are protected is to bring a lawyer to the interview. In many cases, the FBI has completely abandoned their investigations once lawyers have become involved. The NLG provides a hotline to find volunteer legal assistance: 415-285-1041.

Dorothy Ehrlich, Executive Director of the Northern California ACLU, introduced the ACLU as a membership organization with over 500,000 members nationwide. Since 9/11, the ACLU has been resisting government actions that single out individuals based on ethnicity or race. ACLU collaborates with other organizations to protest such actions.

Mark Schlosberg, Police Practices Policy Director for the Northern California ACLU, spoke further about FBI interrogations and surveillance. He also encourages Iranian Americans to obtain counsel before appearing at any FBI interviews, emphasizing that there is no negative impact to having an attorney. Mr. Schlosberg also said that the FBI has been conducting surveillance of Muslim religious activities since 9/11. There have been cases of local law enforcement (sometimes in conjunction with federal anti-terrorist forces, sometimes on their own) conducting surveillance of anti-war demonstrations. The ACLU filed a Freedom of Information Act request to find out exactly how many people have been questioned or put under surveillance by the FBI who are Muslim or Middle Eastern. The ACLU has not received a response to their request as of yet.

Mr. Schlosberg next addressed the issue of No Fly lists. As of right now, the origins of the No Fly lists are unknown. There are also no known standard procedures to get a name off the list once it is put on. However, people on the list can file paperwork to get on a “cleared” list that will allow them to fly, but the name will not actually be removed from the No Fly list.

Dalia Hashad, Arab, Muslim, and South Asian Advocate for the ACLU national office, explained that the ACLU was involved in this campaign because there has been a noticed increase in the number of Iranian Americans being discriminated against across the board in the areas of employment, flying, immigration, and even name-calling by neighbors. ACLU has noticed that their broader outreach efforts have not reached the Iranian American community. She reiterated the importance of seeking counsel before attending an FBI interview. The ACLU national hotline to find a lawyer is 212-549-2517. Ms. Hashad warned that the FBI will ask for employer phone numbers in the interviews and then contact those employers. People have been fired because the FBI contacted their employers about them.

Ms. Hashad gave an example of discrimination in security clearances. She described a case involving an Iranian couple who were scientists for OSHA for 7 years with security clearances. Suddenly they were told they could not be cleared for security “pursuant to the Patriot Act” and were subsequently fired.

Banafsheh Akhlaghi, President of the NLSCA, spoke about cases her organization has been contacted about recently. An Iranian mother and father who live in LA visited their daughter at school in SF. Their daughter was attending UC Hastings School of the Law. The family went to the Golden Gate bridge and the father took some pictures of his family at the bridge. An onlooker saw him taking pictures of the bridge and notified the police. For the rest of the trip, they were under surveillance and after they returned to LA, they were contacted by the FBI wanting to know why they were taking pictures of the bridge. The parents and daughter are all U.S. citizens. The mother is now suffering from Post Traumatic Stress Disorder from the experience.

Another example involved an Iranian American woman in southern CA who was married to a pilot. The FBI came to her workplace to question her about her husband. Subsequently, the FBI contacted her husband's employer and her husband lost his job b/c of this questioning.

NLSCA has also heard about security clearance denials at Lockheed Martin. And Iranian American man who worked for Lockheed for 23 years with security clearance recently had his clearance denied. He has three children, all born in the U.S. and all in college. An Egyptian man was told by Lockheed that his loyalty to the U.S. cannot be trusted. Both men maintain contact with family in their home countries, which appears to be the reason their security clearances are denied.

Another case involved an Iranian American Silicon Valley businessman whose name was on the No Fly list. He was referred to the Transportation Security Administration (TSA) to get his name removed. After doing some research on his own, he discovered that the name on the list was not his, but similar to his. Still, he was informed that the only options available to him were to either change his name permanently or get his name on the "cleared" list.

NLSCA is also seeing immigration discrimination in the form of excessive waiting periods for "FBI background checks" in order to finalize citizenship. As far as the Citizenship and Immigration Services is concerned, these applications are approved, however, some are sent for an additional FBI check which is taking up to 2-3 years to complete. Banafsheh went on to say that the Iranian American community is very warm and generous and the organizations here today want the community to know that civil rights apply to them and these organizations are here to stand for them in ensuring these rights are honored.

Ms. Akhlaghi also spoke about the House Resolution 367 "Condemning bigotry, violence, and discrimination against Iranian Americans." This Resolution is the first of its kind to be introduced condemning such acts against the Iranian American community in a proactive way. She wishes this had been done for other targeted communities, but at least it is now apparent that officials are ready to stand with the community against discrimination.

Finally, Ms. Akhlaghi encouraged all Iranian Americans to go to NLSCA's website at [www.legalsanctuary.org](http://www.legalsanctuary.org) or contact the office at 415-553-7100 or fax at 415-553-7101. NLSCA provides legal services and advocacy for people from the 24 nations listed for Special Registration. She also encouraged Iranian Americans to discuss the discrimination surrounding the unjust detentions of people on the Special Registration list. She emphasized that there is no shame involved in such detentions because no one is put on the list for any criminal reason, but simply because of their national origin.

The press briefing is being broadcast every 4-5 hours on Markazi TV this weekend. Please watch this event and contact the organizations represented for further information and support.