

U.S. COMMISSION ON CIVIL RIGHTS

CIVIL RIGHTS CONCERNS IN THE METROPOLITAN WASHINGTON  
AREA IN THE AFTERMATH OF 9.11 TRAGEDIES:  
MUSLIMS, SIKHS, ARAB AMERICANS,  
SOUTH ASIAN AMERICANS, AND MUSLIM WOMEN

Mason District Governmental Center  
6507 Columbia Pike  
Annandale, Virginia 22003

Thursday, April 25, 2002  
9:30 a.m.

State Advisory Committees  
to the U.S. Commission on Civil Rights

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Virginia

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Panel Assignment

Panel V: Fears and Concerns of Affected, At-risk Communities

DOUGLAS SANDS, SR., Moderator  
 CURTIS HARRIS (VA )  
 LEWIS ANTHONY (DC)  
 DEBRA LEMKE (MD) )  
 JORGE FIGUEREDO (VA)  
 LEA GILMORE (MD)

Panel VI: Local Government Actions and Responses by Affected Group Representatives

SHEILA CARTER-TOD, Moderator  
 AL ZAPANTA (VA)  
 JAMES HINGELEY (VA)  
 TED LOZA (DC)  
 PAT FROMAL (VA)

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PROCEEDINGS

9:43 a.m.

CHAIRMAN PATRICK: Good morning, and -- again, welcome to Annandale, Virginia to the second day of our conference.

My name is Richard Patrick. Again, on behalf of the Advisory Committees of the District of Columbia, Maryland, and Virginia, we welcome you to our session entitled "Civil Rights Concerns in the Aftermath of the 9.11 Tragedies: Muslims, Sikhs, Arab Americans, South Asian Americans, and Muslim Women."

And I will now turn the microphone over for this session to Doug Sands, the chair of the Maryland State Advisory Committee. Doug?

Fears and Concerns of Affected, At-risk Communities: Muslims, Sikhs, Arab Americans, South Asians, and Muslim Women

MR. SANDS: Thank you. Good morning to all of you. Good to have you here, especially given the fact that we're getting so many blessings from above in raindrops this morning. It's delaying some of the traffic, but I'm glad that we're here and in good spirits.

I want to welcome all of you who have been our guests and have returned again today. It's good to

1 see you. It's good to see all of those who are coming  
2 out for the first time. I want to thank you for being  
3 here. I want to thank the staff of the U.S. Commission  
4 on Civil Rights for putting this together and all of my  
5 colleagues who have come to be here today.

6 I want to ask that as we participate here  
7 today that we refrain from any defamatory remarks or  
8 degrading language and that we show utmost respect for  
9 one another for we are here to see what kinds of things  
10 we may be able to do to draw ourselves together. And  
11 as -- the longer we remain here, the more we ought to  
12 love each other, so that we ought not do those things  
13 that are going to separate and degrade and defame each  
14 other.

15 This particular workshop, this panel, is on  
16 "Fears and Concerns of the Affected At-Risk Community,"  
17 and the discussion is concerning Muslims, Sikhs, Arab  
18 Americans, South Asians, and Muslim women.

19 We have some members of our panel who have  
20 not been able to get here yet, and I can understand  
21 that. I came over from Annapolis this morning and the  
22 road was just clogged with traffic. And fortunately, I  
23 think only one accident, unfortunately, and so I know  
24 that some are still on their way.

25 I'm going to ask our panelists to follow in

1 Having said that, I would like to speak to  
2 the issue of fears and concerns of the Muslim  
3 community, perhaps with some generality, but since I  
4 believe I have been asked to be more direct toward the  
5 African American community, I will try to focus my  
6 comments in that direction.

7 Currently, there are approximately six to  
8 eight million Muslims in America, depending on who you  
9 ask. And I believe that just as we have seen in the  
10 U.S. census, you will find if you were to take a closer  
11 recount in the African American community, you would  
12 probably find more African Americans who identify or  
13 claim or would perceive Islam as their religion of  
14 preference. And I have some anecdotal data to support  
15 that thesis.

16 And so, if we look at America and see that  
17 it's known as the fastest growing religion or way of  
18 life in America according to a study done last year by  
19 Dr. Hassan Bagdhi from Shaw University. He has  
20 reported that 84 percent of all of the converts last  
21 year are African American, and I think you'll -- you're  
22 familiar with some of that data.

23 There are approximately one-third or more of  
24 the Muslims in America are from the Indian  
25 subcontinent, either the Indian, Pakistani, or

1 the order in which you have been listed here. I would  
2 hope that you each have a program. I see that --  
3 that -- yeah, we'll have it for sure -- friend of mine  
4 has not made it yet, and he is first. I would hope  
5 that when he does arrive we will continue in the order  
6 where we are and I'll just have to tell him that we'll  
7 catch him at the -- the end.

8 Brother Johari Abdul-Malik, you're looking to  
9 see whether you can find one of those. You're next.

10 (Laughter)

11 MR. SANDS: And since -- since Mohammed  
12 Bashar Arafat is not here, I'm going to ask that you  
13 may begin. Each of you will have 10 minutes. I will  
14 be the timekeeper, and that's -- I've said about all  
15 I'm going to say except that you have two more minutes  
16 when the eight minutes have expired.

17 It's good to have all of you here. Welcome,  
18 and thank you.

19 BR. ABDUL-MALIK: Well, first, I begin  
20 seeking refuge in the Almighty and giving thanks for  
21 this privilege to be here today with you and to affirm  
22 my commitment as a Muslim believing in a law and  
23 following in the example of the prophet.

24 This is a traditional invocation or  
25 beginning.

1 Bangaldeshi. And some estimate about a third of the  
2 Muslims in America are African Americans. And given  
3 that these numbers have -- have grown significantly  
4 over the past 50 years, and within that cohort we're  
5 talking about people who are orthodox Muslim in the  
6 majority or Sunni -- what you would call Sunni Muslims,  
7 and a small number identify with the so-called Nation  
8 of Islam, so that you understand the cohort that I'm  
9 referring to.

10 Probably some smaller number -- maybe 15, 17  
11 percent, and there are different numbers thrown  
12 around -- are Arab Muslims of whatever extraction who  
13 are Muslim. And then, the balance are made up of  
14 Africans, people from Southeast Asia, and -- and other  
15 places become less significant.

16 If I could turn in these brief comments,  
17 then, to the issue of civil rights -- and when I am  
18 using the term "civil rights," I'm not just talking  
19 about people not liking you or having a bias toward  
20 you, I'm talking about the interference of the public  
21 life of a citizen, whether that is the ability to work,  
22 the ability to pursue an education, or to have access  
23 to public facilities.

24 In that, I have to say to you that the  
25 African American Muslims seem to be punished in perhaps

1 two significant ways. One, that is in post 9.11 being  
 2 perceived as Muslim and therefore being evaluated as  
 3 being anti-American because one had the audacity to  
 4 select a foreign religion. The other is to be mistaken  
 5 for a foreigner due to the identification of one's name  
 6 or by identifying one by their appearance. So -- and  
 7 this is probably most grave in the case of American  
 8 Muslim women who are seen from afar and the evaluation  
 9 is made, well, they're brown, they're wearing some  
 10 foreign-type dress which -- which looks Islamic -- and  
 11 we've seen the experience from the Sikh community -- it  
 12 looks Islamic, and therefore this person is not a  
 13 citizen. And so, an American Muslim woman will go to  
 14 work and someone will yell out to them out of the  
 15 window, "Why don't you go back home?" And she says,  
 16 "I'm from Herndon." So, the -- the mind set -- "And  
 17 I -- and my -- my brother fought in Vietnam." So, one  
 18 cannot, in a sense, really say too much about this.

19 I want to talk a little bit about work place  
 20 issues, and I have presented before the Conference on  
 21 Islam and Labor about -- this was -- this would have to  
 22 have been about three months after 9.11 with the AFL in  
 23 Washington, D.C. -- one of the interesting phenomena  
 24 that I think we need to look at, and that is that in  
 25 the work place where people are becoming discriminated

1 against because they're Arab or other, that African  
 2 Americans wind up being the person who is in the "in"  
 3 group that individuals will go to to gain support. In  
 4 other words, "You're American and you're a Muslim, can  
 5 you speak up for us?" Therefore, in work place  
 6 environments, the African American Muslim becomes sort  
 7 of the union organizer within the group and becomes  
 8 part of the target of the racist and discrimination in  
 9 the work place because they want to root out the  
 10 individuals who would organize the Egyptians and  
 11 Lebanese and Afghans and others.

12 The issue of hate crimes. There's a -- a  
 13 graph I will submit to you from the American Muslim  
 14 Council for your report which identifies hate crimes  
 15 going up in the African American community, Muslim,  
 16 going up in all of the Muslim communities because the  
 17 perception is the same. And if we look at it, the  
 18 reports that care received are almost five or six times  
 19 what is the annual reported data. I have this data  
 20 available to you by state and by category of incident.

21 I also want to remind you -- because our time  
 22 is short, I will refer these documents to you so that  
 23 you can have detailed numbers for your report.

24 We identify that children are being  
 25 discriminated in public schools, being -- why don't you

1 go -- "Osama bin Laden, why don't you go back to where  
 2 you came from?" And of course, for most -- most of the  
 3 school children, they -- they came from here. They  
 4 the land that they know. In fact, for your benefit,  
 5 only two percent of all Muslim children in America go  
 6 to religious schools, which means 98 percent of them go  
 7 to -- to public or other parochial schools but not  
 8 religious schools. This data can be made available  
 9 from the Islamic Society of North America.

10 Within the areas of public space, obviously  
 11 in post 9.11 we have observed individuals heckled,  
 12 verbal assaults. Even some well-meaning people will  
 13 warn you, "Don't wear that hat because, you know, --  
 14 don't you know where you are?" Some people may --  
 15 right in Virginia. So, even well-meaning people may in  
 16 a sense give you the sense of concern or -- or danger  
 17 because they hear the common discussion.

18 And public accommodations, we are getting  
 19 reports now of Muslims being discriminated against in  
 20 housing applications. And this data will -- will be  
 21 presented for your review.

22 That individuals in hiring have the same  
 23 experience. "Well, are -- are you a Muslim? We  
 24 observe certain things about you," and then you don't  
 25 get a call back. There's one young man who works

1 we're in a big IT area. And there's one young man who  
 2 told me he changed his name from "Khalid" to "Ted." He  
 3 said, "I'm -- I've got a great resume as a young man.  
 4 I've done a lot of things in -- in IT sales. I  
 5 graduated from school, went out, no one would hire me.  
 6 I wouldn't even get a call back. I send my resume via  
 7 e-mail, and people would look at me and so on and then  
 8 the name. So I changed my name to "Ted." He said, "I  
 9 was hired in a week." Because the name in this  
 10 particular climate tipped people off and they said, "We  
 11 -- we'd rather not hire someone that we have to be  
 12 concerned about."

13 Our community is still very, very much  
 14 concerned about the detentions. And the fear of  
 15 detention and the linking of the FBI investigations  
 16 with INS. How's my time?

17 REV. ANTHONY: You've got just a few seconds.  
 18 It'll beep when it's time.

19 BR. ABDUL-MALIK: Gotcha. I just wanted to  
 20 get a -- you know, that -- that heads up.

21 We're still very much concerned about the  
 22 detentions and the link between INS and the FBI.  
 23 Because we have been communicating to our community to  
 24 cooperate with law enforcement, but then when  
 25 individuals cooperate or are coerced to cooperate, "Do

1 you -- you're African American. You go to such-and-  
2 such a mosque. Do you know so-and-so?" And you know  
3 that the outcome is going to be that INS and the FBI  
4 walk in together and therefore that person was going to  
5 cooperate but now they're coerced to cooperate because  
6 one of their friends or relatives is out of status.

7 Last, I wanted to draw our attention to the  
8 raids which occurred in northern Virginia on the school  
9 -- graduate school of Islamic Social Sciences, the  
10 International Institute of Islamic Thought, and the  
11 ADAMS Center, the All Dulles Area Muslim Society where  
12 my children go to school. They were both the victims  
13 of, first, the -- the vandalism which was -- I think  
14 many people who live in this area saw on television,  
15 and then followed by raids from law enforcement agents.  
16 So you get it from both -- get it from both sides.  
17 Success Foundation and the Robert Allas Linea, which is  
18 the Muslim World League.

19 So, I just wanted to call that to your  
20 attention, that these violations -- and so far, there  
21 have been no indictments, no arrests, and these are  
22 upstanding members of our communities.

23 So, I thank you for your time and  
24 consideration. Perhaps during the question-and-answer  
25 period, we can go further into some of the detail.

1 May -- summarizing over 600 violent incidents directed  
2 against Arab Americans or those perceived to be of Arab  
3 descent, including Sikhs, South Asians, and Latinos.  
4 These incidents included acts of physical violence,  
5 such as vandalism, arson, beatings, and assault with  
6 weapons. Also included in our report are direct  
7 threats of specific acts of violence, including bomb  
8 threats and hostile phone calls.

9 Over 50 years ago President Roosevelt told us  
10 that we must scrupulously guard the civil rights and  
11 civil liberties of all citizens, whatever their  
12 background. We must remember that any injustice, any  
13 hatred, any oppression is a wedged design -- is a wedge  
14 designed to attack our civilization. Over 50 years  
15 later, these words stand as a symbol for what the U.S.  
16 means to the rest of the world. However, since the  
17 September 11th attacks, this symbol has suffered both  
18 domestically and internationally. For example, we've  
19 seen in the Arab American community a major issue, is  
20 the issue of airline racism. And ADC has received over  
21 -- received and confirmed over 60 cases in which  
22 passengers, both men and women, perceived to be Arab  
23 have been expelled from an aircraft during or after  
24 boarding on the grounds that passengers or crew members  
25 do not like the way they look or they don't feel safe

1 Thank you so much.

2 MR. SANDS: Thank you very much.  
3 Sharifa Alkhateeb is not present?

4 SPEAKER: Yes, she is not.

5 SPEAKER: I think she's on her way.

6 (Pause)

7 MR. SANDS: I will --

8 SPEAKER: She was here yesterday. I saw her.

9 MR. SANDS: Okay. Right. I'll give her --  
10 all right. Kareem Shora is with us.

11 MR. SHORA: Thank you very much.

12 My name is Kareem Shora. I'm legal advisor  
13 with the American Arab Anti-Discrimination Committee,  
14 the ADC. First, I want to thank the U.S. Commission on  
15 Civil Rights as well as the Maryland, Virginia, and  
16 D.C. Advisory Committees for this great opportunity.

17 Following the appalling September 11th  
18 attacks on the U.S., the Arab American community has  
19 experienced an unprecedented backlash in the form of  
20 hate crimes, various forms of discrimination, and  
21 serious civil liberties concerns.

22 As far as hate crimes are concerned, ADC has  
23 compiled an approximately 150-page report due to be  
24 released at the end of April -- I'm being told,  
25 actually, now it's being delayed to about the middle of

1 with them on board.

2 The Federal agencies, the proper Federal  
3 agencies, the U.S. Department of Transportation and the  
4 FAA have done a relatively good job in communicating  
5 the official government view on this. Profiling and  
6 discrimination based on race, national origin, or  
7 religion is a "no" and it is unacceptable. However,  
8 it's not enough because it's still taking place. There  
9 is a lack of enforcement. We're getting the words,  
10 we're not getting the actions is basically what it  
11 amounts to.

12 Another major area that ADC has seen grow  
13 tremendously since September 11th is discrimination in  
14 the employment or work place area. And ADC has  
15 confirmed approximately 230 incidents, all of which  
16 were reported to the Federal EEOC, which, again, has  
17 done an outstanding job in responding to the Arab  
18 American community. The EEOC has probably been the  
19 number one Federal agency as far as their response and  
20 efficiency to our concerns. For example, they created  
21 a special code -- they refer to it as "Code C" -- to  
22 address complaints on the part of Arab and Muslim  
23 Americans that might be related to the, quote, unquote,  
24 "backlash" that we've heard about.

25 As far as the local area is concerned,

1 Virginia is indeed one of the top six states with  
 2 reported employment discrimination cases since  
 3 September 11th. Maryland and D.C. not so much, they  
 4 fall to the back of the pack as far as that's  
 5 concerned. Between September 11th and the end of  
 6 December we had four times as many employment cases  
 7 reported to us as between January 2001 and August 2001.

8 Another area that ADC has -- has addressed is  
 9 what we refer to as law enforcement profiling. ADC has  
 10 received I'd say dozens of reports involving Arab  
 11 Americans or those mistaken to be Arab Americans  
 12 searched and questioned primarily by local police  
 13 departments for no apparent reason, and I can give you  
 14 one local example. Back in early November a  
 15 gentleman -- an Arab American was stopped by an  
 16 Alexandria police officer seemingly for no reason  
 17 except for the fact that this gentleman had a small  
 18 version of the Koran, the Islamic holy book, hanging on  
 19 his rearview mirror. When the officer stopped the  
 20 gentleman, he asked him, "Sir, do you know why you were  
 21 stopped?" and the driver said, "No, I don't." And the  
 22 officer replied, "Because of that thing on your  
 23 rearview mirror. What is that?" Apparently, the  
 24 officer noticed there was Arabic writing of some sort  
 25 on it.

1 harassment or bias at the hands of school faculty such  
 2 as principals, educators, and school boards.

3 The last area of, quote, unquote,  
 4 "discrimination" or "illegal discrimination" that we --  
 5 we've seen is denial of service where, for example, an  
 6 Arab American person would walk into a restaurant and  
 7 they'd be told to "please leave, we don't want to serve  
 8 you." We've confirmed 23 such cases nationwide.

9 However, the -- the major primary area is  
 10 really not just in the civil rights violations but in  
 11 the civil liberties limitations. As -- as the imam  
 12 alluded to, a great majority of the Arab American  
 13 community has fear now. They're afraid of the Federal  
 14 government because of this climate that has been  
 15 created by some of the initiatives taken primarily by  
 16 the U.S. Department of Justice. For example, on March  
 17 20th in northern Virginia, as the imam alluded to,  
 18 there was -- there were several raids at the same time  
 19 by a task force composed of U.S. Department of Treasury  
 20 as well as other law enforcement officials. Customs  
 21 officials as well.

22 The problem ADC has had with this issue is,  
 23 number one, the secrecy. Number two, the manner in  
 24 which the raids took place. These law enforcement  
 25 officials are trained in, for example, drug raids where

1 The gentleman was delayed for approximately  
 2 45 minutes, questioned, his vehicle was searched. The  
 3 officer actually at one point took his driver's license  
 4 and drove away. The gentleman called 9-1-1 informing  
 5 them that this officer just took my driver's license  
 6 and left. The officers -- the officer returned 15  
 7 minutes later apologizing, saying, "Well, I received a  
 8 call, I had to leave." The gentleman noted that the  
 9 lights were not on -- the police lights were not on  
 10 when the officer took off with his driver's license.

11 This and many other incidents were reported  
 12 to the United States Department of Justice, Civil  
 13 Rights Division, which has created a special task  
 14 force. My colleague, Joe Zogby, will be, I'm sure,  
 15 addressing these issues from his point of view. And --  
 16 and they have responded to most of our complaints in an  
 17 expeditious manner but not all of them, of course. We  
 18 haven't had as much feedback, for example, as we've had  
 19 from the EEOC complaints.

20 As far as tensions in schools, ADC has  
 21 received 45 cases of violent incidents nationwide  
 22 directed towards Arab American students, in both  
 23 schools and universities, actually. These include  
 24 beatings, harassment, threats, and anti-Arab vandalism.  
 25 ADC has also received a total of 13 complaints of

1 they would bang on your door, smash in, handcuff  
 2 everybody until they secure the location, and  
 3 confiscate whatever they want to confiscate. The level  
 4 of secrecy behind such raids is very troubling and it  
 5 is completely un-American. These people were not  
 6 hiding from anything. They were members of the  
 7 community with permanent homes which they owned. If  
 8 officials wanted to question them, they could have very  
 9 easily knocked on the door, they would have opened the  
 10 door, and they would have walked in. Instead, we  
 11 received reports the same morning from people who said  
 12 these people in black uniforms yelling and screaming  
 13 knocked on my door and smashed in in some cases,  
 14 handcuffed me for two hours, -- a lot of my personal  
 15 property. I've spoken with some of the attorneys  
 16 representing these people and they said a lot of the  
 17 personal property has still been -- not been returned.  
 18 Nobody has been charged, and complete secrecy.

19 I'm being told that I only have one minute,  
 20 so I'm going to expedite this.

21 Another area which is of tremendous concern  
 22 to the Arab American community is the issue of  
 23 interviews that are being taken place by the U.S.  
 24 Department of Justice utilizing the U.S. attorneys'  
 25 offices primarily as well as FBI field offices around

1 the country. Attorney General Ashcroft in December  
2 announced that the U.S. Department of Justice was  
3 looking to voluntarily interview 5000 Arab men fitting  
4 a specific category with non-immigrant visas. ADC has  
5 received specific complaints from U.S. citizens, a lot  
6 who were born here, that received letters from U.S.  
7 attorneys' offices, that received business cards from  
8 FBI agents, being told that they were wanted for  
9 questioning, voluntary questioning.

10 Then, there was a Phase 2 where the attorney  
11 general announced, well, we have another 3000 people  
12 that we'd like to talk to voluntarily again. We know  
13 for a fact that the questions -- the answers being  
14 received from those interviews are being compiled by  
15 the FBI in a special database. That creates a  
16 tremendous environment of fear and hostility towards  
17 the Federal government, and when you do that to a  
18 community that you're looking for help from, you're  
19 basically not going to get that help. It's -- it's  
20 just human nature. You know, if you want people to  
21 cooperate with you, you be nice to them.

22 I'm going to stop now since my time is over  
23 with, and I'd appreciate any questions from anyone  
24 later. Thank you.

25 MR. SANDS: Thank you very much.

1 I want to return to the order that we have  
2 here, and next we are going to hear from Mr. Singh.  
3 You will have a 10-minute period, and at the end of  
4 eight or nine minutes I'll let you know that you have  
5 about a minute or so left. Thank you. I know you went  
6 through something to get here this morning. It's good  
7 to have you here.

8 MR. R. SINGH: Thank you. First of all, I'd  
9 like to thank everyone on the Commission for inviting  
10 me to educate people or -- or present the concerns of  
11 the Sikh community in America and particularly in  
12 metropolitan Washington.

13 Sikhism, there is very little information  
14 people have about our religion and our faith. Sikhism  
15 is one of -- the fifth-largest religion currently, with  
16 23 million practitioners worldwide. And there are  
17 about a half million Sikhs in -- in the United --  
18 United States, and about six to eight thousand Sikhs in  
19 the metropolitan Washington area. And Sikhs have been  
20 part of this country since the beginning of the last  
21 century. They contribute to American society in many  
22 different fields.

23 The religion was founded on the principles of  
24 equality of all persons regardless of gender, race,  
25 religion, caste, or social status. And Sikhs are

1 identified by their distinctive dress, which includes  
2 uncut hair, turban, and a small ceremonial sword known  
3 as a kirpan. We are -- we -- we have unshorn hair. To  
4 a Sikh, the turban protects the uncut hair and is a  
5 symbol of his or her spiritual identity and commitment  
6 to a spiritual discipline as required by the founders  
7 of the faith.

8 I wish to inform you of some of the severe  
9 problems that the Sikh community is facing in the  
10 aftermath of the September 11th tragedies. Since  
11 September 11th, one Sikh has been killed in --

12 MR. SANDS: -- microphone a little closer,  
13 please.

14 MR. R. SINGH: One Sikh has been killed --  
15 one Sikh has been killed in Mesa, Arizona. A three-  
16 year-old child was hit with a bottle with flammable  
17 material though the fire, fortunately, got extinguished  
18 before it hit the child in San Mateo, California. An  
19 attempt was made in Cleveland to set a Sikh place of  
20 gathering and worship on fire. In addition, two Sikh  
21 places of worship have been vandalized in California.  
22 A Sikh family in Centerville, Virginia had their  
23 windows shattered by bricks thrown at their house. A  
24 Sikh family's home was hit with graffiti in Colorado  
25 Springs, Colorado. An elderly Sikh man was assaulted

1 with a baseball bat in Richmond Hill, New York. A 7-11  
2 owned by a Sikh was torched in New York. A Sikh boy  
3 was physically assaulted at his middle school. Alcohol  
4 was spilled on the Sikh priest of one place of worship  
5 in Fairfax, Virginia, and Sikhs have been -- have had  
6 garbage thrown or eggs thrown at them. Some had guns  
7 shown to them and others have been shoved and pushed.

8 Most Sikhs look like me. They wear turbans  
9 and beards that are described by our religion and as  
10 commitment to our faith. Ironically, it is very  
11 distinctive appearance that is -- it is this very  
12 distinctive appearance that is too often the target of  
13 hate because many Americans associate us with  
14 terrorism. Because we are assumed to be connected to  
15 terrorists, my community is being victimized not only  
16 by cruel and hateful backlash but also by the great  
17 ignorance of our background. As a result, Sikhs  
18 continue to be victimized in a number of ways varying  
19 from verbal harassment to physical assaults, profiling  
20 in airports and in one case even murder.

21 On the issue of hate crimes and hate  
22 incidents, hate crimes and incidences have increased  
23 dramatically since the September 11th tragedies.  
24 According to our community Web sites, over 300 hate-  
25 related crimes and incidents have been reported since

1 September 11th. Backlash in the form of hate crimes  
2 and incidents endured by Sikh Americans have ranged  
3 from verbal abuse and taunting to physical attacks and  
4 even murder. Some of those examples include a Sikh  
5 American woman was stabbed while stopped at a red  
6 light. Two men on motorcycles stopped next to the Sikh  
7 woman, opened her car door, and yelled that they were  
8 going to get her back for what they did to us, and  
9 stabbed her twice in the head.

10 And -- gas station owner in Mesa, Arizona was  
11 shot on 15th of September, and the person who murdered  
12 him said that -- that he -- he killed because he looked  
13 like Osama bin Laden. And his family was devastated  
14 with this tragedy.

15 Two weeks after September 11th, a fire bomb  
16 was thrown into a Sikh American-owned and Indian  
17 restaurant in Baltimore, Maryland. The perpetrators  
18 have not been apprehended, and it is unclear if the  
19 case is still open.

20 The Sikh community is enduring profiling at  
21 an unprecedented level. There are numerous reports  
22 from Sikh Americans that they are being singled out for  
23 searches and questioning by Federal, state, and local  
24 law enforcement and by airport security since September  
25 11th. Airport searches and turban searches in

1 turban -- turbans. In the vast majority of reported  
2 cases, neither the metal detector nor the metal  
3 detector warn beeped or indicated any reason for  
4 additional search.

5 Sikh Americans are also reporting an increase  
6 in the hostility in work place settings as well as  
7 being asked to cut their hair and remove their turban  
8 to keep their job. Three examples of work place  
9 backlash are, a few weeks after September 11th a Sikh  
10 American working as a courier for a shipping service  
11 delivered a package to a business as part of his job.  
12 Thereafter, a person outside the office building who  
13 saw the Sikh leaving the building without the package  
14 called the local police saying that a person with a  
15 turban who looked of Arab descent delivered a  
16 suspicious package to the business. The local police  
17 evacuated the building fearing that a bomb was placed  
18 in the package.

19 After hearing of the incident, the Sikh  
20 courier's manager said that there had been customer  
21 complaints about his appearance and asked him to remove  
22 his turban and cut his beard. Both -- both the turban  
23 and beard are religiously mandated articles of faith  
24 for Sikhs. In fear of losing his livelihood, the Sikh  
25 American reluctantly complied with the request.

1 particular continue to impact Sikh Americans traveling  
2 throughout the country and specifically in the  
3 metropolitan Washington area. One example of profiling  
4 that received national attention -- attention is of  
5 Sher Singh of Leesburg, Virginia. On September 12th,  
6 Sher Singh was traveling on an Amtrak train from Boston  
7 to Washington. While passing through Providence, Rhode  
8 Island, the train was stopped and raided by police  
9 officers from Providence police force and the Rhode  
10 Island State Police and the FBI. Two officers pointed  
11 their weapons at Sher Singh, handcuffed, and took his  
12 wallet, and took him off the train. Off the train,  
13 Sher was searched. Seeing his kirpan, his ceremonial  
14 knife, less than four inches long, the officers  
15 repeatedly told him he was a terrorist and he was taken  
16 into custody and not released until the next day. And  
17 his picture with handcuffs was shown unlimited time  
18 by -- by the national media, internationally and  
19 nationally, which we believe contributed to the murder  
20 of the Sikh gentleman in Mesa, Arizona. And even after  
21 the charges were dropped, his image was shown again and  
22 again by the media, showing as a suspect has been  
23 apprehended.

24 At numerous airports throughout the country,  
25 Sikh Americans are being forced to remove their

1 trimmed his beard and replaced his turban with a  
2 baseball cap. He was fired anyway and has since had  
3 difficulty finding a job. And we have talked to the  
4 family and the gentleman. He is severely depressed  
5 because of this incident.

6 A Sikh American woman submitted a resume at a  
7 temporary employment agency two months after September  
8 11th. She received a telephone call asking her to come  
9 to the agency for an interview. At that time she  
10 informed the agency that she wore a turban for  
11 religious reasons. The recruitment director at the  
12 agency told her that she would call her back soon.  
13 Later the same day, recruitment director left a message  
14 on the woman's answering machine telling her that the  
15 agency's corporate clients would not deem the turban as  
16 looking professional and canceled the Sikh woman's  
17 interview.

18 We have also seen by our youth in elementary  
19 schools, high schools, and colleges and universities  
20 throughout the country that they are enduring the  
21 greatest impact of backlash since September 11th.  
22 stories range from verbal assaults to physical  
23 assaults. Some examples pulled from the community Web  
24 site include shoving and name-calling.

25 Now, I would like to end my comments with

1 some of the recommendations from our community's  
2 perspective. We would warrant that they should be --  
3 the hate crime laws should be enforced. There needs to  
4 be legislation to regulate or at least legislate the  
5 regulations issued by the Department of Transportation  
6 regarding the airport searches and turban searches in  
7 particular. Legislate fines for the arbitrary and  
8 capricious actions of the airport security personnel.

9 Create a fact sheet regarding Sikhs, Arabs,  
10 Muslims, South Asian groups, and other groups impacted  
11 by the backlash discrimination for post-September  
12 11th -- public and private employers as well as  
13 government officials and employees. Create or increase  
14 outreach efforts of the government agencies and  
15 community service providers to impacted communities  
16 like the Sikh American community. Public service  
17 announcements raising awareness regarding the Sikh  
18 American community and other impacted communities.  
19 There is a great need to show images of Sikhs as  
20 Americans in media.

21 Training of Federal local, state local  
22 agencies regarding who Sikhs are, including images of  
23 Sikh Americans. Incorporate a cultural awareness  
24 component in state or federally-mandated curriculum  
25 that includes Sikhs, Muslims, Arabs, and South Asian

1 communities. Mandate use of teacher in-service days to  
2 inform teachers and school administrators about Sikhs,  
3 Muslims, Arabs, South Asians -- and other impacted  
4 communities. Specifically provide information  
5 recognizing and dealing with hate crimes and incidents  
6 in schools. And last, organize living room dialogues  
7 or other events that encourage members of different  
8 religious and ethnic groups to come together to learn  
9 about each other.

10 MR. SANDS: Thank you very much.

11 I'm pleased by this -- he was able to be with  
12 us and I'm going to ask that you go next. Good to have  
13 you back.

14 MS. ALKHATEEB: Thank you.

15 MR. SANDS: Thank you.

16 MS. ALKHATEEB: I apologize for being late --

17 MR. SANDS: It's quite all right.

18 MS. ALKHATEEB: -- every single road was --

19 MR. SANDS: Yes.

20 MS. ALKHATEEB: -- blocked this morning.

21 MR. SANDS: I came from Annapolis and it  
22 stretched all the way to Annapolis.

23 MS. ALKHATEEB: So, I'm going to read very  
24 fast because I know I have only 10 minutes, so I want  
25 to get as much in as I can.

1 MR. SANDS: Thank you.

2 MS. ALKHATEEB: I would like to first thank  
3 each of the State Advisory Committees for inviting our  
4 comment on this important issue, and I feel honored and  
5 privileged to participate in this panel.

6 I feel honored and privileged to participate  
7 in the panel.

8 I would first like to say that we share the  
9 sorrow of all others living in America over the tragic  
10 events of September 11, 2001, and wish to see the  
11 perpetrators brought to justice.

12 I am speaking today on behalf of the North  
13 American Council for Muslim Women, founded in 1992 as a  
14 national independent non-profit organization. We are  
15 college-educated women focusing on educational,  
16 legislative advocacy and policy issues. While the  
17 testimony today in part comments on issues of Islamic  
18 head covering, we are extremely diverse in our ideas,  
19 our style of practicing Islam, and our ethnic makeup,  
20 and we are committed to the Islamic knowledge that no  
21 one at any level has the right to either force a woman  
22 to cover her head or to uncover it.

23 Since 9.11, our organization has participated  
24 in over 200 events, including interfaith dialogues,  
25 workshops, speeches, training, meetings with public

1 officials, television and radio appearances, and teach-  
2 ins at universities, churches, and other institutions.  
3 This non-stop activity is unprecedented since we were  
4 formed in 1992. We intend to continue participating in  
5 the larger society in a positive way, such as the  
6 upcoming conference that we will participate in here in  
7 the Colmar area on better race relations in this  
8 extremely multiethnic Colmar area which is being  
9 sponsored by the Communities Foundation and -- and the  
10 lead organization in it is a mosque with three other  
11 churches and several other ethnic organizations. It'll  
12 happen this summer.

13 The crisis of 9.11 and its aftermath of one  
14 hate crime after another, many of which were directed  
15 specifically at Muslim women, created enormous dilemmas  
16 for Muslims regardless of their choice or mode of  
17 dress. Muslim women were forced to make very  
18 uncomfortable decisions about their own personal  
19 freedom of movement, freedom of speech, freedom of  
20 dress, freedom of place to send their children to  
21 schools, and freedom to feel safe in public and even in  
22 their own homes.

23 Regardless of choice of dress, the majority  
24 of Muslim women in America felt in the early weeks  
25 after the bombings and most continue to feel today very

1 intimidated, very frightened, and unsure of normally  
2 expected protection if some hate crime were perpetrated  
3 against them. Many Muslim women continue to get hate  
4 mail, hate e-mail such as the well-circulated  
5 statement, "Put a match to every scarf-head."

6 Not only during the early weeks following the  
7 bombings but even up until today the following are  
8 common occurrences that Muslim women are subjected to  
9 in public spaces: cursing, spitting, screaming,  
10 staring menacingly, being poked or punched, teasing,  
11 name-calling, being pushed, cars following them and  
12 sometimes bumping their cars, other motorists giving  
13 them the finger, strangers yelling at them to go back  
14 home.

15 I have been, myself, subjected to almost all  
16 of these, and I have been subjected to three things in  
17 the last four weeks and in different cities in the  
18 U.S., not just one place. One of them was right here  
19 in downtown Washington on "M" Street. And a man pulled  
20 down -- rolled down his window and screamed curses at  
21 me. And I -- for no reason. I didn't even open my  
22 mouth. He didn't even know me. And probably would  
23 never like to know me.

24 At the beginning of the crisis, several  
25 religious and community leaders in this area advised

1 Muslim women were enrolling in self-defense classes and  
2 keeping some kind of protective spray with them to ward  
3 off would-be attackers. Until today, many Muslim women  
4 avoid being out after dark because of fear of possible  
5 9.11-related hate crimes.

6 When the initial period died down due to the  
7 war after -- due to the war effort in Afghanistan and  
8 then as the war effort expanded to a worldwide unending  
9 effort on the part of the U.S. government, the media in  
10 this country took an extremely negative bent toward  
11 anyone Muslim and anything, in quotes, "Islamic,"  
12 resulting in Muslim women feeling judged by all to be  
13 guilty of something at all times.

14 The number one fear of Muslim women today in  
15 America is being treated unfairly and unjustly by those  
16 who do not know them, and if they wear a head covering  
17 or caltajib that they fear some stranger pulling it off  
18 or doing them some bodily harm.

19 Some of these feelings that exist across the  
20 country were made more concrete as a result of the  
21 March 20 raids carried out by various U.S. agencies  
22 here in the Herndon area. What happened during the  
23 raids are the following: work places were raided at  
24 the exact same time as their homes were being raided.  
25 Fifteen or 30 agents appeared at the door of homes

1 Muslim women to either alter or remove their usual head  
2 coverings and their usual clothing to blend into the  
3 western style of dress.

4 After the vandalism of the ADAMS Center  
5 Mosque in Sterling, Virginia, many leaders also advised  
6 women regardless of their choice of dress due to the  
7 general atmosphere of lawlessness to remain home. Many  
8 families kept their children at home for several days.  
9 Many women stayed home for one week or up to three  
10 months. Substantial numbers of mothers fearing unjust  
11 reprisals against their children withdrew their  
12 children from Muslim full-time schools and enrolled  
13 them in public schools. Substantial numbers of Muslim  
14 children, both male and female, in public schools were  
15 subjected to all of the behaviors mentioned above and a  
16 few instances in person taunted. There -- they were --  
17 in a few instances, the person taunting or making fun  
18 of them was their own teacher or their principal.

19 As a result of all this, large numbers of  
20 good, non-Muslim neighbors as well as religious  
21 institutions offered to escort Muslim women to perform  
22 everyday functions such as food shopping, going to  
23 school, or going to work. Some non-Muslim women even  
24 put on head scarves on designated days to show  
25 solidarity with Muslim women. Across the country,

1 businesses and schools shouting, banging on doors,  
2 demanding entrance while armed with machine guns and  
3 bulletproof vests. They showed identification to some  
4 and others they did not. In some cases they did not  
5 show any warrant, entered the premises for several  
6 hours while they proceeded to search. If people did  
7 not immediately open the door, some doors were broken  
8 door and they drilled holes in locks. They might also  
9 use other means to get into your house even if the door  
10 -- even if you didn't open the door.

11 The authorities ran through premises looking  
12 for anyone who was not a U.S. citizen. In some  
13 instances they treated people very badly until they saw  
14 their U.S. passports. Some investigators participating  
15 in the raids became very angry and verbally violent  
16 when questioned about anything at all that had to do  
17 with the search. Two women and one teenage boy were  
18 handcuffed for several hours. Two Muslim women who  
19 wear head coverings normally were not wearing them when  
20 the -- when the government agents came through and they  
21 refused to allow the women to put on their religiously  
22 mandated head covering for several hours. They without  
23 your -- without their permission insisted on taking  
24 pictures of the two women while not wearing their  
25 religious-mandated head cover. Subsequently, they took

1 several more pictures.

2 Some of the agents asked the women in  
3 different homes to sign a waiver of their right not to  
4 speak to them which could be legally used against them  
5 at any time in the near or distant future. They took  
6 every computer from the premises as well as 30 to 40  
7 boxes of papers, money, and other valuables, including  
8 people's personal -- personal -- what do you call them?  
9 Personal -- what's the word? No. Their personal --  
10 their little books that they write their personal --

11 (There was a chorus of "diaries" from the  
12 audience.)

13 MS. ALKHATEEB: -- diaries. Yes. Couldn't  
14 think of it.

15 Some agents did and some did not give women  
16 -- give women whose homes were raided a list of what  
17 they took. Some said they would send the list later.  
18 In at least one home agents left the entire home in  
19 complete disarray. As a result, the news of this went  
20 very quickly all over the country and traumatized  
21 Muslim women all over the country to the point that  
22 many Muslim women all over the country have now put a  
23 scarf on a nail or some kind of attachment right near  
24 their front door in case someone breaks down their  
25 door. And several other women have taken out nice

1 facilities for medications throughout northern  
2 Virginia.

3 This project signed contracts with several  
4 entities, among them four mosques collectively called  
5 the Middle Eastern Muslim Team, of which I am the team  
6 leader. And -- and they -- that includes ADAMS Mosque,  
7 DARO Hydra Center, the Islamic Foundation of America,  
8 and the Mustafa Center, employing 30 outreach workers  
9 on a part-time basis. This was a great vote of  
10 confidence in the Muslim community by the county and  
11 the government and has gone a long way to creating a  
12 community sense of unity.

13 To date, this team has given individual  
14 counseling to 2294 people, almost equally shared by  
15 males and females, has given group counseling to over  
16 1000 people, has -- has counseled 437 children and  
17 teens, has held group educational presentations serving  
18 over 2000 people, and has referred to more extensive  
19 services over 600 people.

20 I wanted to just end by giving -- I'm going  
21 to give a more complete write-up later, but I wanted to  
22 end with giving some suggestions as to some --  
23 something that -- some things that might help to make  
24 the situation better. One would be ubiquitous public  
25 signs in all public -- public places, especially in

1 dresses to wear in case somebody breaks down their door  
2 because they don't want to be caught in some kind of  
3 ugly dress.

4 And this was the case of one woman who has a  
5 Ph.D. and they came up into her -- into her bedroom  
6 with -- with machine guns while she was asleep, and she  
7 stayed awake all night -- this woman has a Ph.D. in --  
8 in political science and is a professor. She stayed up  
9 all night waiting for them to come back in a better  
10 dress.

11 So many other things have happened to make  
12 Muslim women feel extremely intimidated, but some --  
13 there are some good things that have happened as a  
14 result of the backlash. One of the things is that  
15 throughout northern Virginia and also in New York there  
16 is something -- well, here in the northern Virginia  
17 area it's called Community Resilience Project. And  
18 that is something that's done by the Federal Emergency  
19 Management Agency in conjunction with Fairfax County  
20 government and the Community Services Board, and they  
21 began right at the beginning -- a few days after the --  
22 the bombings. And they're designed to give crisis  
23 counseling and -- and later stress reduction workshops,  
24 stress awareness, referrals for basic relief services,  
25 and most recently, referrals to mental health

1 areas where large immigrant populations and Muslim  
2 populations reside and TV announcements by the county  
3 human rights commissions against vandalism, harassment,  
4 spying, stalking, spitting, throwing stones, and  
5 actually spelling these things out, and also  
6 information on legal penalties for perpetrators.

7 There should be mandatory police attention  
8 and coming to the scene when -- when a report is given.  
9 In many instances across the country, women would call  
10 the police and they would never come.

11 There should be development of protocols for  
12 addressing human rights violations in each region  
13 specifically on 9.11-related issues. There should be  
14 simple and easy-to-read bold print signs stating what  
15 are human rights and where to complain on human rights  
16 violations with 800 phone numbers that have multiple  
17 language-capable calling numbers. There should be hung  
18 -- these should be hung in public schools, public  
19 libraries, public transportation, places such as bus,  
20 train, and airports, and all universities. And a one-  
21 pager should be sent home in September and given out at  
22 back-to-school nights to -- to help people to know what  
23 their rights are.

24 There should be cultural knowledge and  
25 sensitivity training for Human Relations Commission and

1 its member and staff. And there should be an official  
2 liaison with the White House to advise them on the  
3 ramification of public statements that they make, how  
4 it wreaks emotional havoc on the country when they make  
5 such statements as, they're going to use funds for the  
6 security -- the security -- you know, the new  
7 security -- Homeland Security agency to give -- to be  
8 given to -- this was a statement made by Ashcroft, that  
9 there were -- these funds were going to be given to  
10 neighborhood watch groups in order to spy on their  
11 Muslim and Arab neighbors. I think that's horrible and  
12 it caused a lot of ill feeling, and I think that if  
13 this Commission would have a -- an ongoing liaison to  
14 sort of not screen but suggest changes to ongoing  
15 public statements, it would go a long way.

16 And I have just one more suggestion, and that  
17 is to have set aside Federal, state, and county funds  
18 for cooperative trainings, workshops, and relief work  
19 between Muslim entities and Federal and state and  
20 county agencies because in the aftermath of the  
21 bombings Muslims had to go to places like the Salvation  
22 Army to get very basic relief. And the Salvation Army  
23 is a religious entity even though people say, well,  
24 it's not functioning as -- as a religious entity.  
25 However, it is seen as a religious entity and I think

1 that there should be a vote of confidence given in  
2 Muslim groups as it has been given to Christian groups  
3 who did get relief monies but none of the Muslim groups  
4 were given relief monies. Why is that? Thank you.

5 MR. SANDS: Thank you very much.

6 I'm in a terrible position to stop that kind  
7 of report of conversation, but in the interest of time  
8 I -- I -- I -- I have to do that for each one of you,  
9 and -- and as the -- although it's grossly unfair  
10 altogether, I guess it has to be kind of a level field  
11 for each of our presenters. On the last -- Dutta will  
12 go next.

13 MR. DUTTA: Good morning. Can you all hear  
14 me?

15 MR. SANDS: You have to get the microphone  
16 closer. Okay.

17 MR. DUTTA: Hi. My name is Gautam Dutta, and  
18 first, I'd like to thank the Commission for having us  
19 all here. This is a really important dialogue. I'm  
20 glad to be part of it.

21 In addition to being vice president of the  
22 South Asian Bar Association of D.C., I'm also vice  
23 chair of the D.C. Commission for Asian and Pacific  
24 Islander Affairs. As such, I'm an appointee of the  
25 mayor's, and our job is to be the eyes and the ears for

1 the concerns of the Asian community, which now numbers  
2 roughly four percent of the D.C. community.  
3 Incidentally, two -- two-thirds of the small businesses  
4 in D.C. are owned by Asian Americans.

5 I'd first like to start by giving a little  
6 bit of background on South Asians as a whole. Now,  
7 South Asia encompasses a very diverse and large  
8 subcontinent. It concludes, of course, India,  
9 Pakistan, Sri Lanka, Butan, and Bangladesh. The people  
10 there are very diverse and come from a lot of  
11 backgrounds and the numbers in the -- their -- their  
12 ranks of immigrants who come to the U.S. reflect this  
13 diversity. Among them include Hindus, Muslims,  
14 Buddhists, Sikhs, even Christians and Jews. In fact,  
15 some of the oldest Christians in the world are from  
16 India, dating back up to roughly 100 A.D.

17 Well, turning to the issue of the unfortunate  
18 series of post-9.11 violence, a small consolation was  
19 that there were no recorded incidents of violent  
20 attacks in the District of Columbia itself, but that,  
21 as I said, is a small consolation. The violence and  
22 attacks that took place outside are just simply  
23 staggering. Recently, there was a report compiled by  
24 the South Asian American Leaders of Tomorrow that  
25 basically examined all the attacks and made a

1 comprehensive list of them. That organization's Web  
2 site is [www.saalt.org](http://www.saalt.org), and that report has a lot of  
3 valuable information.

4 The most disturbing, of course, is just the  
5 sheer volume of attacks for the first week following  
6 the September 11 -- following September 11th. That is,  
7 between September 11th and September 17th. In that  
8 period -- it's just, let's see, six -- six or seven  
9 days, correct me, one way or the other -- there were  
10 645 reported hate crime incidents. That included three  
11 deaths affecting the South Asian community. A  
12 Pakistani American grocery store owner in Texas, a Sikh  
13 gas station owner in Mesa, Arizona, and that of course  
14 has already been alluded to by Mr. Singh to my right,  
15 as well as one report of a Sikh grocer who was killed  
16 in Long Island.

17 In addition, I should mention that there was  
18 an Egyptian shopkeeper who was killed in L.A. as well  
19 as there were two Yemeni grocers who were immigrants  
20 from Yemen who were killed, one in Detroit and one in  
21 the California -- California Central Valley. So, you  
22 know, as -- as we know, this violence has touched  
23 all communities, not just South Asian or Arab Americans  
24 or Muslims as a whole. It's just hit a lot of  
25 communities, including Puerto Ricans and Latinos,

1 anyone who can possibly be confused for what people  
2 consider are terrorists.

3 That report continued to elaborate, there --  
4 the SAALT report that is. It also indicated that there  
5 are 40 -- at least 49 assaults and acts of violence  
6 against South Asians and that there were at least 92  
7 incidents of vandalism, arson, and property damage.  
8 This includes, of course, attacks on mosques or the --  
9 Sikh guardaras, places of worship, businesses owned by  
10 South Asians. It spans the gamut. And attacks on just  
11 people who are walking along the street minding their  
12 own business. There were also, lastly, 465 reported  
13 incidents of threats and intimidation.

14 Now, I'd like to personalize those numbers a  
15 little bit. Mr. Singh referred to Ms. -- the  
16 unfortunate case of Mr. Sher Singh who was pulled out  
17 of an Amtrak train the day following the attacks.  
18 There was also -- I can tell you of some incidents that  
19 were reported to me firsthand. The cousin of a  
20 colleague of mine, a -- a lawyer colleague of mine, was  
21 literally chased down the street in Manhattan, you  
22 know, the day after the attacks. There was also one  
23 colleague of mine who was on an -- on an airplane and  
24 was basically kicked off the airplane just because he  
25 looks South Asian. He was dressed in a business suit,

1 nothing looked, quote, "suspicious" at all, and yet  
2 they pulled him out of the plane simply because of how  
3 he looked.

4 My -- as for myself personally, a couple  
5 weeks -- two or three weeks following the attacks I was  
6 with a group of South Asian friends and we got this  
7 comment saying -- from this one pedestrian passer-by.  
8 He basically said, "Your people must be really happy  
9 about the attacks." I don't know which people he's  
10 talking about. We were -- you know, we're all  
11 Americans, too.

12 Well, sadly enough, these attacks against  
13 South Asians are nothing new. For the -- since the  
14 time that South Asians have come to the U.S., and that  
15 goes back to 1900s with Sikh Americans, they've always  
16 been treated as foreigners. Even back then Sikhs and -  
17 - were referred to as "Hindoos," H-I-N-D-O-O-S. I  
18 guess they confused their religion with the  
19 nationality. But it just -- that term just, A, served  
20 to denigrate everyone, and number two, it served to  
21 label and brand everyone, stigmatize everyone as being  
22 foreign. And that continues to haunt this community  
23 today.

24 In fact, until very -- until 19 -- well, I  
25 should say, until 1965 it was really hard, almost

1 impossible, to become naturalized as an American  
2 citizen. There was an infamous Supreme Court case in  
3 1922 called The United States versus Tent. In that  
4 case, the Supreme Court essentially said that South  
5 Asians could not be naturalized -- could not become  
6 naturalized citizens period, end of story. Immigration  
7 of South Asians was banned in 19 -- in the 19 -- early  
8 1920s and did not become fully regularized until 1965.

9 Now, fast forwarding into the present, in the  
10 late 1980s a lot of you might be familiar with a lot of  
11 -- with some violence that plagued the South Asian  
12 community in New Jersey. There, a gang that called  
13 itself the Dotbusters attacked South -- people of South  
14 Asian descent simply because of the way they looked.  
15 And that resulted in at least one death. There was one  
16 doctor by the name of Navarz Moli who was killed.

17 So, you know, against that backdrop, the 9.11  
18 attacks were, sadly, nothing that was new. But what is  
19 new is that people suddenly felt vulnerable themselves.  
20 A lot of people in the South Asian community work under  
21 the perception that as long as they work hard and  
22 contribute to society no one will, you know, give them  
23 a hard time, no one will do anything bad to them. And  
24 they would like to dismiss some of these attacks as  
25 just scattered and as just an aberration that would

1 never occur to them or people like them. Well, as a  
2 matter of fact, in 1998 and 1999 South Asians were the  
3 group most affected by hate crimes attacks. That is,  
4 there were the most incidents of hate crime attacks  
5 against any ethnic group and that was for South Asians.  
6 So -- you know, suddenly people are realizing that this  
7 can affect everyone, including them.

8 Let's look at what's -- what -- what's on  
9 people minds, on South Asians' minds now, you know, a  
10 few months after the attacks. There is widespread  
11 concern about discrimination, especially racial  
12 profiling: being pulled off of airplanes; being pulled  
13 over just because you look Sikh, just because you --  
14 you're brown -- you're not light-skinned. There's  
15 concern about the detentions of many South Asians by  
16 the Federal government right now. And in a broader  
17 sense, there's concern about whether South Asians will  
18 ever be -- will ever be accepted as Americans.

19 I'd say a silver lining of this all is that  
20 now more than ever South Asians have much greater  
21 empathy for groups that have suffered from racial  
22 profiling in the past, and namely African Americans and  
23 in a lot of cases Latinos. And there's a growing  
24 realization that we're all in the same boat.  
25 Discrimination against one is discrimination against

1 all and we have to fight for our rights.

2 Okay. Well, I just have a minute left, so I  
3 mean, there are a few -- there are a lot of things that  
4 could be done to make the situation better and to make  
5 something good happen from this incredible tragedy.  
6 One is to get word out to the community that hate  
7 crimes should not be tolerated, that you can do  
8 something about -- you can fight hate crimes. You  
9 can -- we can let know -- the community know, the South  
10 Asian community and the community at large know what to  
11 do when they're affected by a hate crime, whom -- and  
12 whom to call, what resources are available. There are  
13 occasionally a cultural reluctance to go to the  
14 authorities, and you know, a lot of folks here on the  
15 panel have alluded to that.

16 And furthermore, you know, in South Asia, for  
17 example, sometimes there is fear of going to government  
18 because there's corruption and so forth. Not -- and  
19 also, on top of that, there's shame and embarrassment  
20 sometimes. The victims almost blame themselves for the  
21 attack having occurred and they'd like to just wish it  
22 away.

23 Another issue that needs to take place is  
24 that the -- the government -- governments, that is  
25 local and state governments, must in a lot of cases get

1 over their reluctance to admit that hate crimes do  
2 occur. The most difficult barrier is for local  
3 authorities sometimes to consider that something is a  
4 hate crime. It's just -- just astounding how people  
5 are so willing to deny and just look the other way and  
6 not acknowledge that a certain crime was a hate crime,  
7 and that's something that needs to be worked on. I  
8 think workshops could be helpful here. In fact, there  
9 are some Asian American activists in D.C. who for a  
10 while have been having training workshops with the MPD,  
11 the police department in D.C., just to sensitize the  
12 police officers to a lot of these issues.

13 And last of all, I think the community --  
14 community organizations and government groups can use  
15 resources that are already available, such as the  
16 National Asian American Legal Consortium, such as the  
17 South Asian Leaders for Tomorrow, or the Asian American  
18 Legal Defense Fund, or even the D.C. Commission for  
19 Asian and Pacific Islander Affairs as resources so that  
20 they can get more information on how they can serve the  
21 community.

22 Well, I think I'll end here so that we have  
23 time for questions.

24 MR. SANDS: Thank you very much. Very much.  
25 Joe Zogby?

1 MR. ZOGBY: Good morning. My name is Joseph  
2 Zogby, and I'm special counsel for Post-September 11  
3 National Origin Discrimination in the Civil Rights  
4 Division of the U.S. Department of Justice. I want to  
5 first of all, thank the District of Columbia, Maryland,  
6 and -- and Virginia Advisory Committees for organizing  
7 this panel, and -- and thank you all for giving me the  
8 opportunity to speak with you this morning about the  
9 Civil Rights Division's efforts to combat the post-  
10 September 11 backlash. And I'd also like to thank my  
11 -- my fellow panelists for their -- their thoughtful  
12 presentations, for -- for sharing with us the concerns  
13 of their communities, and -- and particularly for the  
14 work that you all have done since September 11th to --  
15 to advocate on behalf of -- of your communities.

16 In the aftermath of -- of the September 11th  
17 attacks, there was a substantial increase in reported -  
18 - reported incidents of bias against Arab Americans,  
19 Muslim Americans, South Asian Americans, and Sikh  
20 Americans, and others who were perceived to be members  
21 of these groups. These affected communities  
22 experienced hate crimes and incidents of bias in other  
23 areas, including employment, housing, education, public  
24 accommodations, and air travel.

25 I'm going to start off by saying that this is

1 a problem that we take very seriously in the Department  
2 of Justice and to which we have devoted and will  
3 continue to devote significant resources.

4 The Civil Rights Division reacted swiftly  
5 after September 11th in an attempt to stem the  
6 backlash. On September 13th Ralph F. Boyd, Jr., the  
7 assistant attorney general for civil rights, issued a  
8 statement which read in part, "Any threats of violence  
9 or discrimination against Arab or Muslim Americans or  
10 Americans of South Asian descent are not just wrong and  
11 un-American but also are unlawful and will be treated  
12 as such." On the same day, Assistant Attorney General  
13 Boyd met with Arab American and Muslim American  
14 community leaders to discuss their concerns. And --  
15 and since September 11th the assistant attorney general  
16 has spoken out frequently against illegal  
17 discrimination and has also met frequently with leaders  
18 of the Arab American, Muslim American, South Asian  
19 American, and -- and Sikh American communities.

20 Mr. Boyd also created the Civil Rights  
21 Division's Initiative to Combat the Post-September  
22 Discriminatory Backlash to help combat violations  
23 Federal civil rights violations -- rather, Federal  
24 civil rights laws affecting individuals in the  
25 vulnerable communities. This initiative is a part of

1 the Civil Rights Division's National Origin Working  
2 Group which existed before September 11th.

3 The initiative seeks to combat discrimination  
4 in -- in three ways. First, by receiving reports of  
5 civil rights violations based on national origin,  
6 citizenship status, and religion, including those  
7 related to housing, education, employment, public --  
8 public accommodations, access to government services,  
9 and law enforcement, and referring these complaints to  
10 the appropriate Federal authorities. Second, by  
11 conducting outreach to vulnerable communities to  
12 provide them with information about Department of  
13 Justice services and to connect them with other  
14 government agencies that can assist them. And third,  
15 by working with other Department of Justice components  
16 and other governmental agencies to ensure effective  
17 referrals, outreach, and provision of services to  
18 victims of civil rights violations.

19 I'd like to address each of these missions in  
20 turn. First, receiving and referring complaints.  
21 We've established a mechanism for receiving, referring,  
22 and tracking complaints of civil rights violations.  
23 Complaints that we receive about post-September 11th  
24 incidents receive a special code and are entered into a  
25 database to enable us to -- to track them. We've

1 other locations in the near future.

2 And on the subject of outreach, I just want  
3 to make -- make special note of -- of the contributions  
4 that the community organizations that we've worked with  
5 have made. They have been our eyes and ears in the  
6 community. Community members are often willing to  
7 approach organizations that are working on their behalf  
8 and -- and to share complaints with them in a way that  
9 they wouldn't be able to -- to -- to -- wouldn't feel  
10 comfortable, rather, sharing these complaints with the  
11 government. And these organizations have enabled us, I  
12 think, to -- to be aware of what's -- what's happening  
13 in their communities.

14 The Initiative has also created a Web site  
15 with information about Federal civil rights  
16 protections, complaint filing procedures, and  
17 governmental efforts to combat the backlash. The Web -  
18 - Web site is located at [www.usdoj.gov/crt/nordwg.html](http://www.usdoj.gov/crt/nordwg.html).  
19 Sorry, I know that's a long --

20 (Laughter)

21 BR. ABDUL-MALIK: Sounds like something the  
22 government would create.

23 MR. ZOGBY: You can also find that Web site  
24 if you go to the Civil Rights Division's Web site,  
25 which is [doj.gov/crt](http://doj.gov/crt). There's an icon right at the top

1 conducted outreach and work with community  
2 organizations to facilitate the intake of complaints.  
3 I just want to note that we've worked with -- with ADC,  
4 the Sikh Coalition, Muslim Public Affairs Council, and  
5 other groups which have -- have enabled us to -- to  
6 receive complaints from -- from all these different  
7 communities. We've also created a media screening  
8 procedure to gather information about potential  
9 instances of national origin discrimination.

10 Second, outreach efforts. The Initiative  
11 is -- is conducting outreach to vulnerable communities  
12 to provide them with information about Federal civil  
13 rights protections and -- and complaint filing  
14 mechanisms. And I just want to say, we recognize that  
15 there is a real need to raise awareness about Federal  
16 civil rights protections and, particularly, how to file  
17 complaints about -- about civil rights violations in  
18 these communities and particularly among recent  
19 immigrants in these communities. One example of our  
20 efforts, we've organized community forums to provide  
21 information and address questions and concerns in these  
22 communities. So far these forums have taken place in  
23 Chicago, Illinois; Dearborn, Michigan; Arlington,  
24 Virginia; and we have a forum coming up next month in  
25 Phoenix, Arizona. We plan to hold additional forums in

1 which, if you click on it, will take you to the Web  
2 site. I also have copies with me of some of the  
3 information that's available on our Web site which I  
4 can submit to the panel. We also have copies at the  
5 desk outside if anyone is -- is interested in that.

6 The -- the National Origin Working Group has  
7 also created a brochure regarding Federal protections  
8 against national origin discrimination. We've  
9 translated this brochure into 12 different languages,  
10 including Arabic, and we're in the process of  
11 translating it as well into Punjabi, Hindi, Urdu, and  
12 Farsi. And that Web site is also -- rather, that  
13 brochure is also available on our Web site. And I have  
14 copies of that brochure with -- with -- with me that  
15 are at the table outside which -- for anyone who's  
16 interested.

17 Interagency coordination. We've coordinated  
18 our efforts to combat the backlash with other  
19 Department of Justice components as well as with other  
20 governmental agencies. For example, we organized an  
21 interagency coordination meeting that was attended by  
22 dozens of Federal agencies to discuss measures to  
23 address the backlash.

24 Finally, I'd like to talk about our  
25 investigations and prosecutions of civil rights

1 violations. With the help of the FBI, the U.S.  
2 attorneys' offices, and local prosecutors, the Civil  
3 Rights Division has opened over 350 criminal  
4 investigations into alleged hate crimes and -- and  
5 dozens of civil investigations into alleged instances  
6 of non-criminal discrimination. The alleged criminal  
7 violations include telephone, Internet, mail, and face-  
8 to-face threats, minor assaults, assaults with  
9 dangerous weapons, and assaults resulting in serious  
10 injury and death, and vandalism, shootings, and  
11 bombings aimed at homes, businesses, and -- and places  
12 of worship.

13 The Civil Rights Division and U.S. attorneys'  
14 offices continue to coordinate with local prosecutors  
15 in instances where cases are being prosecuted locally  
16 and where there are also potential Federal crimes that  
17 have not been charged to consider whether plea bargains  
18 can resolve both local and Federal criminal liability.  
19 Federal charges have been brought in 10 cases so far,  
20 and the Civil Rights Division and U.S. attorneys'  
21 offices are working together on these cases. I'll just  
22 give a couple of examples.

23 On -- on November 7th, 2001, the U.S.  
24 attorney's office in the western district of Wisconsin  
25 indicted Thomas Iverson for making two threatening

1 phone calls, one to a Jordanian American threatening to  
2 burn down his liquor store, and another call to 911  
3 threatening to bomb the same store. On January 31st,  
4 2002, Iverson pleaded guilty, and on April 12th he was  
5 sentenced to 27 months incarceration.

6 On January 10th, 2002, the U.S. attorney's  
7 office for the central district of California indicted  
8 Irving David Reuben, the national chairman of the  
9 Jewish Defense League, and Earl Leslie Kruegel, a JDL  
10 official, for conspiring to damage and destroy by means  
11 of an explosive the King Fahid Mosque and for  
12 possessing an explosive bomb to carry out the  
13 conspiracy and for attempting to damage and destroy by  
14 means of an explosive the office of the Muslim Public  
15 Affairs Council in southern California as well as the  
16 district office of U.S. Representative Darryl Aisa, an  
17 Arab American.

18 Another example, on March 28th, 2002, the  
19 U.S. attorney's office for the northern district of  
20 Florida filed a criminal complaint against Charles  
21 Franklin for driving his pickup truck into the door of  
22 the Islamic Center Mosque in Tallahassee, Florida.

23 I just want to close by saying that the Civil  
24 Rights Division of the Justice Department will continue  
25 our efforts to combat the post-September 11th backlash

1 by conducting outreach to the vulnerable communities  
2 and by investigating and prosecuting violations of  
3 civil rights laws. Thank you again for the opportunity  
4 to speak with you today about our efforts, and I look  
5 forward to hearing any questions that you might have.  
6 Thanks.

7 MR. SANDS: Thank you.

8 This has been a very informative morning for  
9 us, and I know that there are many questions that  
10 people have and you have much information to leave with  
11 us. We have about 45 minutes left for our panel, so  
12 I'm going to ask that those who have questions be brief  
13 in asking the question to allow as much time as  
14 possible for the answers and also to understand that we  
15 probably will not have time to get to all of you.  
16 We're not receiving all that we'd like to ask, but I  
17 want to begin with asking the panel members on our side  
18 of the panel here, the State Advisory Committee  
19 representatives, if they have questions to ask.

20 Although I've said we have 45 minutes, should  
21 Mr. Arafat arrive, we'll only have 35 minutes because I  
22 will grant him his 10 minutes. So, be -- be forewarned  
23 that he will have gone to great lengths to be here with  
24 us and has prepared something that we want to hear  
25 shared with us. So, if we're -- although we're in

1 question-and-answer mode, I will stop us when that  
2 question is answered should Mr. Arafat arrive so that  
3 we may give him his 10 minutes.

4 So, I have two -- three members of the --  
5 this particular panel here with me: Curtis Harris and  
6 Lea Gilmore and Lewis Anthony. And I'm going to ask,  
7 first of all, if they have questions before going to  
8 the rest of the advisory committees?

9 MS. GILMORE: I actually do.

10 Good morning. Thank you very much for your  
11 excellent presentations. Exceptionally enlightening.  
12 A couple questions, maybe for some personal edification  
13 or insight for Mr. Alkhateeb -- I am sorry. Ms.  
14 Alkhateeb. And for Mr. Abdul-Malik. First, for Mr.  
15 Abdul-Malik, and I apologize for the name screw-up.  
16 But I knew it was a diary, okay?

17 (Laughter)

18 MS. GILMORE: And my question for Mr. Malik,  
19 I'd really like to have an understanding -- I know the  
20 African American community's Muslim population is  
21 growing steadily. I'd like to have an understandin  
22 the relationship between what we view as Islam,  
23 traditional Islam, and the Nation of Islam? I don't  
24 quite understand if there is a difference, and I know  
25 there is a difference, and I'd like to hear from some -

1 - from you about it. From both of you, rather.  
 2 BR. ABDUL-MALIK: We will be going into  
 3 overtime this afternoon.  
 4 (Laughter)  
 5 BR. ABDUL-MALIK: Well, the -- probably  
 6 stated simply, these differences are more historical  
 7 than they are contemporary inasmuch as in the year 2000  
 8 Lewis Farrakhan, the current leader of the Nation of  
 9 Islam, has made a determination that he would adopt the  
 10 general tenets of the faith that the other 1.3 billion  
 11 Muslims in the world believe in. That is, the belief  
 12 in one God, the belief in the prophets from Adam  
 13 through Noah, Moses, Abraham, Jesus we believe is a  
 14 prophet, and ending with the prophet Mohammed, who  
 15 lived in Saudi Arabia. This is a departure from their  
 16 original beliefs, the belief that the black man is god,  
 17 that Elijah Mohammed, who you may be familiar passed  
 18 away in the '70s, was the prophet Mohammed. These  
 19 ideas he has now conformed to the conventional ideas of  
 20 Islam.  
 21 The probably larger problem is that he has  
 22 maintained his organizational structure. Where myself  
 23 as a Muslim, I might go to any one of the Islamic  
 24 centers not having the sense of my pastor is Pastor  
 25 Jones and I go to First Baptist and we have the truth,

1 that as a Muslim the idea is that any mosque that I'm  
 2 near I -- I -- I can go to, I'm a part of that broader  
 3 community, black, white, Hindu, Muslim background,  
 4 whatever subcontinent. Wherever I'm from doesn't  
 5 matter. If I'm a Muslim now, I can go to any mosque.  
 6 The prayers are the same, the beliefs are the same.  
 7 Maybe the Iranian mosque will have a sort of Farsi  
 8 accent. But that is the -- the tenet within the vast  
 9 majority of the African American populous.  
 10 Lewis Farrakhan's group tends to remain  
 11 somewhat isolated because of those historical  
 12 phenomena, but ideologically, I'm pleased to say that  
 13 they have come to this greater understanding. But they  
 14 have decided to keep their -- their organizational  
 15 structure in place.  
 16 I don't know if that really answers --  
 17 MS. GILMORE: It does answer. Thank you.  
 18 BR. ABDUL-MALIK: -- your question. I hope  
 19 so. Sharifa, anything --  
 20 MS. ALKHATEEB: I don't really have --  
 21 BR. ABDUL-MALIK: Yeah.  
 22 MR. SANDS: You did that exceptionally well.  
 23 I'm --  
 24 BR. ABDUL-MALIK: I -- I -- I lecture on the  
 25 subject of the Nation of Islam's history. But thank

1 you.  
 2 (Laughter)  
 3 MS. GILMORE: I appreciate it. Thank you  
 4 very much.  
 5 MR. HARRIS: Yes. I -- my -- my question is  
 6 to the representative from the Justice Department. You  
 7 have stated that there have been 10 cases prosecuted.  
 8 How can you deal with the -- with all of the complaints  
 9 that all of the persons have shared with us today? I  
 10 would narrow it down to a hundred -- I mean, to 10.  
 11 Are they -- are they lying or is it -- you don't keep  
 12 the records or all of the -- the complaints -- speak to  
 13 the 10 cases that you have referred to.  
 14 BR. ABDUL-MALIK: If I may, I have a report  
 15 which I'll submit to you which is 1717 incidents of  
 16 either assault, death, discrimination in work place,  
 17 airport, profiling, et cetera.  
 18 MR. ZOGBY: Is that from CAIR?  
 19 BR. ABDUL-MALIK: This is -- you'll --  
 20 MR. ZOGBY: Okay. I have it. Yeah, I do --  
 21 we do have it.  
 22 Yeah. Thank you very much for that question.  
 23 It's -- it's an excellent question, and it gives me the  
 24 opportunity, maybe, to -- to -- to explain a bit the  
 25 process. I -- I said 10 prosecutions so far. We

1 have -- we've opened 350 investigations since September  
 2 11th, and many of those cases are still under  
 3 investigation and -- and -- and future prosecutions may  
 4 take place.  
 5 A couple of things, I think, that I would  
 6 note. One is that we have been working with -- with  
 7 these community organizations that are reporting these  
 8 complaints, and -- and we appreciate very much the fact  
 9 that they have -- have made referrals of -- of many of  
 10 these complaints to us. And in -- in many cases we  
 11 have made the decision to open an investigation into  
 12 these complaints. There are determinations that are  
 13 made about whether complaints rise to -- to the  
 14 threshold of having violated Federal civil rights law.  
 15 In some cases complaints do not on their face state  
 16 violations of -- of Federal civil rights laws. And we  
 17 always recommend to complainants that they make sure as  
 18 well to report their complaints to local and -- and  
 19 state agencies and as well to -- to the local police.  
 20 And -- and I guess I would say that -- the --  
 21 the fact that an organization like CAIR or ADC are --  
 22 are reporting that they've received a number of  
 23 complaints that's higher than the number -- than the  
 24 number of investigations that -- that we've opened is -  
 25 - is in no way inconsistent and does not in any way

1 indicate that we believe that -- that the complaints  
2 that they're receiving are -- are not valid or -- or  
3 accurate.

4 Is that -- is that responsive?

5 MR. HARRIS: You did pretty good, but let me  
6 ask another question. I have been involved with the  
7 civil rights movement for 40 years, and in most cases  
8 we can't believe the Federal government. How are we  
9 going to get over that kind of situation? With the --  
10 with the records that -- that have been compare --  
11 compiled we have now opportunities to find out what's  
12 going on. We didn't used to have the information. We  
13 have the information, and some of the information that  
14 we are receiving from the Federal government are -- are  
15 not coincide with the -- the information that we are  
16 receiving.

17 How can we find out and know that the  
18 situation is -- is authentic or if it's a situation  
19 that's political? Sometimes when you have a situation  
20 going on in -- in -- in Virginia, for an instance, it's  
21 -- it's -- it's according to who is in -- who is the  
22 governor, who is the political icon. How -- how can we  
23 find out a way -- how can we get some information on  
24 this -- the -- the things that we are concerned about,  
25 that people are going to get a fair shake? Now, you

1 the fear and suspicion and hopefully bring some  
2 transparency and accountability to this process.

3 And I guess the final thing I would add is  
4 that if there are specific questions or concerns, we  
5 invite community organizations to bring them to us.  
6 And -- and you know, I -- I do field calls on a daily  
7 basis from community members who bring questions and  
8 concerns to us and when at all possible we answer the  
9 questions. If a case is under investigation, we might  
10 not be able to comment on the -- on the specific case,  
11 but -- but wherever possible, we do -- we do provide  
12 whatever information we can.

13 MR. SANDS: Thank you. Thank you very much.

14 REV. ANTHONY: Yeah, I do have a question and  
15 a little insertion in the record.

16 Good to see you, Dr. Singh, Imam. I'm  
17 curious, by way of question, is it not a fact that in  
18 the United States that the -- the ethnic group that is  
19 currently expanding in numbers proportionately larger  
20 than any other in the Muslim tradition is -- is now  
21 African American? Is that true?

22 BR. ABDUL-MALIK: Well, I stated in the  
23 report earlier that 84 percent of the converts last  
24 year were African American.

25 REV. ANTHONY: So, this then leads to another

1 might not be able to answer that question because of  
2 where you -- where you stand -- where you sit, but we  
3 are concerned about that. So, you may want to take  
4 that back to your office and -- so that they will know  
5 that we are concerned about the conditions.

6 MR. ZOGBY: Yes, sir. I -- I will most  
7 certainly do that, and -- and I -- I think I would -- I  
8 would just add that we recognize that there is a  
9 history of -- of fear and suspicion that exists  
10 particularly in -- in communities that have a history  
11 of -- of suffering discrimination in this country. And  
12 -- and after September 11th, I think we recognize as  
13 well that there is -- I shouldn't say the -- the  
14 recognition was before September 11th, but I think that  
15 in -- in light of the backlash we recognize as well  
16 that -- that the Arab American and -- and Muslim  
17 American and South Asian American and Sikh American  
18 communities have experienced a lot of fear and  
19 suspicion as well.

20 And that is the reason that we have stepped  
21 up our efforts to outreach to these communities and --  
22 and -- and that's the reason that the assistant  
23 attorney general created the initiative that I'm --  
24 that I'm heading up to -- to work with these  
25 communities to -- to help to hopefully reduce some of

1 question. In view of our discussion yesterday or  
2 hearing about the Patriot's Act and some of its  
3 interesting features, has there been any evidence of --  
4 of any, perhaps, use of that act in these circumstances  
5 to go after Moshjids and -- and their members  
6 ostensibly because of 9.11 concerns but practically for  
7 other reasons?

8 BR. ABDUL-MALIK: I would say that's true.  
9 Not only that, I -- there -- there is a kind of double  
10 standard I was describing earlier between the FBI and  
11 the INS for the immigrant community largely, but then  
12 you have another approach where people feel within the  
13 community that they are being recruited because they  
14 are American and Muslim, know some Arabic, and  
15 therefore they could be useful in identifying within  
16 the ranks individuals who may have malintent. And  
17 although on one level the community has already stepped  
18 forward and said we're willing to do that, but then  
19 when you go behind the community and attempt to  
20 recruit, it sends the wrong signal, and it -- it makes  
21 not only a concern that someone's going to make  
22 something on you but also that I have to now watch out  
23 for my brother to see that he's -- that he's doing the  
24 right thing.

25 REV. ANTHONY: Yeah. Which relates, I

1 gather, in part to some of your remarks that I heard.  
 2 The insertion in the record I wanted to make  
 3 is a comment by Howard Thurman which I thought to be  
 4 particularly apropos for this session. Dr. Thurman  
 5 said, "During times of war hatred becomes quite  
 6 respectable even though it has to masquerade often  
 7 under the guise of patriotism. Hating is something of  
 8 which to be ashamed unless it provides for us a form of  
 9 validation and prestige. If either is provided, then  
 10 the immoral or the amoral character of hatred is  
 11 transformed into positive violence." And I gather  
 12 that's what's happened, and I gather further that  
 13 that's why we must bind together to make sure that the  
 14 principle's not lost in this preoccupation that is not  
 15 always so wise.

16 MS. ALKHATEEB: I -- one thing that I've  
 17 noticed, though, is that with all the negativity of the  
 18 press as it -- as it has one barrage after the other of  
 19 anti-Arab, anti-Muslim, you know, diatribes and  
 20 statements, it has actually made the -- the normally  
 21 skeptical average American go out and want to read  
 22 more.

23 (Laughter)

24 MS. ALKHATEEB: And -- and I think that it's  
 25 been -- it has been, you know, an unthought of,

1 jurisdiction, but you may have a sense of where do you  
 2 go when you have been -- when your -- when your civil  
 3 rights have been violated by what you seek to be the  
 4 person to protect those?

5 MR. ZOGBY: Thank you for that -- for that  
 6 question. I'm -- I'm trying to think of where to --  
 7 where to start with this. Let me -- let me start with  
 8 the complaint filing mechanism question. We have tried  
 9 to -- to make people aware that there is a -- a  
 10 receptacle in -- in the Federal government in -- in  
 11 every agency for filing complaints alleging civil  
 12 rights violations by agency personnel.

13 In -- in the case of -- of the Justice  
 14 Department, there are -- there are two relevant  
 15 offices. The first is the Office of the Inspector  
 16 General, which has authority to investigate allegations  
 17 of waste, fraud, or abuse against -- by Justice  
 18 Department employees. And they have a -- a 1-800  
 19 number, a hotline, which is 1-800-869-4499. You can  
 20 also find them on the Web at usdoj.gov/oig.

21 The -- the FBI Office of -- of Civil Rights  
 22 receives complaints as well, the Civil Rights Unit  
 23 within the FBI, regarding allegations of criminal  
 24 violations by Justice Department employees. And those  
 25 cases are -- are investigated and prosecuted as well by

1 positive, you know, positive consequence, you know.  
 2 And -- and I think that at this time and date in  
 3 American history the average American knows more about  
 4 average American -- Arab Americans and Muslim Americans  
 5 and even South Asians than they ever knew before.  
 6 However little it is, it's a thousand times more than  
 7 they knew before.

8 (Laughter)

9 MR. SANDS: I want to thank the members of  
 10 this panel. I'm going to ask now for other  
 11 representatives -- to the advisory committees if they  
 12 have questions. I want to start with Ms. Carter-Tod --

13 MS. CARTER-TOD: Thank you. I think my  
 14 question's actually directed towards Joseph Zogby. I  
 15 know that you may not be able to answer this  
 16 specifically, but it seems like there are two levels of  
 17 things going on. There are -- there are crimes that  
 18 are against individuals and the investigation of the  
 19 people that are perpetuating those crimes, and then  
 20 there's also another avenue. There are the crimes that  
 21 are being perpetuated against people by government or  
 22 local officials. And what I don't quite understand is  
 23 to whom do people go for some kind of filing of  
 24 complaint in that situation? And it -- I -- I don't  
 25 see that it may not be particularly under your

1 the criminal section within the Civil Rights Division.  
 2 They're "color of law" is the -- the legal term of art  
 3 that we use to refer to -- to such criminal violations  
 4 by -- by law enforcement personnel.

5 With regard to -- to state and -- and local  
 6 law enforcement and government officials, similarly,  
 7 the -- the Civil Rights Division receives complaints  
 8 and -- receives and investigates those complaints.  
 9 There -- there are two -- two different -- two  
 10 different prongs to that. One is the -- the civil, and  
 11 under Title VI, if a -- a state or local agency  
 12 receives Federal financial assistance, we can  
 13 investigate allegations of civil rights violations by -  
 14 - by personnel in that agency. And as well, we can  
 15 investigate allegations of -- of criminal violations in  
 16 -- in all cases by state and -- and local personnel.  
 17 And finally, under -- under Section 14141, we have the  
 18 authority to investigate allegations of a pattern or  
 19 practice of civil rights violations by state or local  
 20 law enforcement.

21 Is that -- was that responsive to your  
 22 question?

23 MS. CARTER-TOD: I have one -- I'm sorry.  
 24 One follow-up question.

25 MR. ZOGBY: Sure.

1 MS. CARTER-TOD: How much of the established  
2 sort of system for -- for recourse in terms of the  
3 complaints and what not is overridden by the Patriot  
4 Act?

5 MR. ZOGBY: The -- the complaint -- the  
6 complaint mechanisms and the authority to investigate,  
7 prosecute -- and prosecute these complaints is not  
8 affected at all by the Patriot Act as far as I -- as  
9 far as I know. I should add, this is not an issue that  
10 is -- the Patriot Act is not an issue that is under the  
11 jurisdiction or bailiwick of the Civil Rights Division.

12 And -- and one other thing I guess I would  
13 add in the -- in the interest of providing this  
14 information, it's also something that's not under our  
15 jurisdiction but every government agency has a  
16 receptacle for Title VI complaints, complaints with  
17 regard to -- recipients of Federal financial assistance  
18 and as well a receptacle for complaints about agency  
19 personnel.

20 I'll give an example because it was discussed  
21 several times here today. The -- the raids that were  
22 conducted by Operation Green Quest out of the Treasury  
23 Department, complaints about those raids can and have  
24 in fact been -- been filed with the Treasury  
25 Department, the Customs Service, which is heading up

1 Operation Green Quest. There's an Office of Internal  
2 Audit within the Customs Service that receives and  
3 investigates those complaints. And I -- I'm aware that  
4 investigations of those complaints have been opened.  
5 Secretary O'Neil of the Treasury Department also met  
6 with Arab American and -- and Muslim American leaders  
7 to discuss their concerns regarding -- regarding those  
8 raids. I'll end with that.

9 MR. SANDS: -- then Mr. Kurzman.

10 MR. KAPLAN: Actually, I have a question both  
11 for Mr. Zogby and for the other members of the panel.  
12 With regard to Mr. Zogby, from my prior experience, I'm  
13 very much aware of the interagency coordination  
14 responsibility of the Department of Justice. I can  
15 recall times in my -- my experience where, for example,  
16 Justice gave great visibility to the issues of  
17 discrimination involving persons with disabilities,  
18 particularly with respect to how that issue affected  
19 the Title VI responsibilities of a myriad of Federal  
20 agencies. And I'm assuming that as part of your task  
21 force, the interagency coordination responsibility in  
22 the area of discrimination -- national origin  
23 discrimination arising out of 9.11 is a primary  
24 concern. So, let me ask you, to what extent is the  
25 Department of Justice taking what I would consider to

1 be a -- a more effective leadership role in demanding  
2 and understanding the extent to which other Federal  
3 agencies and departments have given some primacy of  
4 attention to complaints that they've received with  
5 regard to Title VI matters, tracking how quickly  
6 they're investigating those complaints, determining how  
7 adequate their civil rights enforcement responsibility  
8 is, assuring that they've got adequate personnel  
9 devoted to the task, and the complaints are --  
10 responses to those complaints are being given in a  
11 prompt manner?

12 And the second part of that question is, with  
13 regard to your coordination responsibility, although  
14 not a direct law enforcement responsibility, to what  
15 extent has your task force looked at the availability  
16 of funding from the myriad of programs that Federal  
17 departments and agencies have available that can be  
18 used by groups such as those here speaking to us day --  
19 today to address some of the community relations and  
20 other activities that can go a long way with dispelling  
21 the hate crime environment?

22 And then, last, what has your work been with  
23 regard to the Community Relations Service? What role  
24 have they played? I haven't heard anything about them.  
25 And I would like to think that they've been strong and

1 active in this regard.

2 And with regard to the other panelists -- and  
3 I apologize to those of you whose presentations I  
4 didn't hear because I was unavoidably detained this  
5 morning -- I'm struck by the fact that the complaint  
6 levels that I've heard, at least for the members of the  
7 panel that I was privileged to hear this morning when I  
8 arrived, seem very different from the numbers that Mr.  
9 Zogby's referring to. And I know he says that they're  
10 not necessarily inconsistent, but I'm curious about how  
11 reasonable you think the efforts have been on the part  
12 of the Federal government to provide a mechanism to  
13 allow people to realistically find a home for the  
14 complaints they have. And what do you see to be the  
15 difference in the numbers, like 350 that Mr. Zogby's  
16 talking about, and numbers like 1700 that I've seen and  
17 heard coming from the panel members?

18 I apologize for the length of the question.

19 MR. ZOGBY: That's okay. I've got three  
20 parts, so I'm going to -- I'm going to take -- take  
21 them in turn.

22 Actually, before I do that, let me just  
23 clarify one thing. I said 350. That's with regard  
24 to -- hate crime -- you know, violations -- criminal  
25 civil rights violations. We've also received numerous

1 complaints in other areas as well.

2 A -- some -- some components of your question  
3 I think were above my pay grade, but I'm going to try  
4 to respond to --

5 (Laughter)

6 MR. KAPLAN: I think you should be promoted.

7 (Laughter)

8 MR. ZOGBY: I'm going to try and -- and --  
9 and respond to -- to as much -- to it as -- as much as  
10 I can.

11 With regard to the issue of interagency  
12 coordination, it's one -- it's an issue to which  
13 we've -- we've paid significant attention. As I  
14 mentioned during my presentation, we convened a meeting  
15 very early on with Federal agencies in which we -- we  
16 discussed measures that could be taken to address the  
17 backlash and -- and proposed steps that agencies might  
18 take in order to address the backlash. And I'm happy  
19 to say that -- that many agencies have -- have followed  
20 up on those recommendations. And actually, if you go  
21 to our Web site, there are -- there are links that you  
22 can follow to statements that were issued by many of  
23 the agencies regarding the backlash, condemning the  
24 backlash, and also making clear the -- each agency's  
25 commitment to -- to follow through on investigating and

1 prosecuting complaints.

2 We also have established complaint referral  
3 mechanisms to make sure that complaints that are --  
4 that are coming to the Justice Department are finding  
5 their way to the appropriate Federal agencies. An  
6 example that was -- that was brought up earlier today  
7 is -- is with regard to air travel discrimination.  
8 We've been working with the Department of  
9 Transportation, the Air Consumer Protection Division,  
10 and their general counsel's office, which has  
11 responsibility for investigating those cases. We've  
12 been working to make sure that complaints are being  
13 referred -- referred to them and -- and -- and as well  
14 have referred complaints to -- to other agencies.

15 With regard to the Community Relations  
16 Service, I understand that -- that Sharee Freeman, the  
17 director of the CRS, is going to be here this  
18 afternoon, I think. Is that -- is that -- is that  
19 correct? Yeah. So, I -- I -- I will defer to her in  
20 addressing what -- what the CRS has been doing since  
21 9.11, but we have been working closely with CRS to  
22 coordinate in particular our outreach efforts. And we  
23 have, as I mentioned before, organized community forums  
24 in Dearborn, Chicago, and Arlington. CRS has  
25 participated in all of those -- those forums.

1 And as well, I -- I think one -- one of the  
2 things that we have -- have tried to do is to reach out  
3 to our -- our brother and sister agencies and -- and  
4 bring them with us to these outreach forums. The EEOC.  
5 the Transportation Department, Department of Education,  
6 Health and Human Services, and I believe that that's --  
7 I believe that's all -- oh, and Housing and Urban  
8 Development as well have all participated in forums  
9 that we have sponsored so far, and we've been working  
10 to try and make connections between those agencies and  
11 community groups.

12 As I said, myself and two of my colleagues  
13 are here today, actually -- Said Khoreshi and Michael  
14 Zubrinski -- have all fielded calls on a regular basis  
15 from people who are not aware of -- of -- of where to  
16 go, of how to find a home, as you said, for their  
17 complaints, and we've tried to make sure that people  
18 are -- are -- are aware of where to go.

19 I hope that that's -- that's responsive. If  
20 there -- there are parts of your question that I didn't  
21 respond to, please -- please follow up with me and I'll  
22 do that.

23 MR. SANDS: I'm going to ask the opportunity  
24 for other -- well, we have three other members who want  
25 to ask -- let's pose these questions and see if they're

1 anything like the other questions that we may have.  
2 The only way I can ensure that we're all getting an  
3 opportunity to participate. I recognized Stephen  
4 Kurzman next and then Cynthia Graae and then Pat Okura.  
5 And we are down to 15 minutes, 10 of which belong to  
6 Mr. Arafat if he comes.

7 (Laughter)

8 MR. ZOGBY: I'm hoping Mr. Arafat shows up.

9 (Laughter)

10 MR. SANDS: I know you are.

11 (Laughter)

12 MR. KURZMAN: My question is the extent to  
13 which the -- the performance of the EEOC that Mr. Shora  
14 has -- has highlighted this morning could be replicated  
15 in other agencies. Is there a way to get  
16 responsiveness to the complaints faster and more  
17 completely so that the affected communities know more  
18 quickly what's happening? That's one question.

19 Second is, we're going to be spending a lot  
20 of time this afternoon, as you know, with local law  
21 enforcement and community groups. And part of the  
22 question has been asked by my colleague with regard to  
23 the Northern Virginia raids which obviously are on  
24 everybody's mind here, and we heard about it all day  
25 yesterday and -- and again this morning. So, those are

1 -- those are very high priority.

2 But I wondered whether we could have our  
3 panelists and you, Mr. Zogby, also give us an  
4 indication of how state and local agencies in this --  
5 in these three communities have been responding to the  
6 complaints and how you interrelate to them --

7 MR. SANDS: May I -- may I filter that  
8 somewhat? It may help to ask the question that Peter  
9 Kaplan raised as well, if the panel members would  
10 respond. We've been giving a kind of response in  
11 questions to what we've heard the difference between  
12 how the complaints are -- how many there are and how  
13 they're being processed.

14 MS. ALKHATEEB: I was at the meeting with  
15 Secretary O'Neil, and we asked for some very basic  
16 things. One of them was that we would get a copy of  
17 the protocols of how agents are supposed to behave when  
18 they go into a raid. And also information -- what kind  
19 of training they get, if -- if it's consistent, and  
20 because they acted very differently in each house and  
21 each place, and also, they were supposed to tell us the  
22 results of the investigation. Three weeks afterwards,  
23 after that meeting, I called to Mr. "Zuartay's" office?

24 MR. SANDS: Zorate.

25 MS. ALKHATEEB: -- Zorate's office, who's the

1 further your point on that -- on that end, as far as  
2 the targeted fear that I discussed in my presentation,  
3 I can give you solid examples of people from across the  
4 country that have called my office saying, my husband  
5 or my wife has a business trip next week to Chicago or  
6 to L.A. but I've heard that they're kicking Arabs off  
7 of planes, that they're detaining them when they try to  
8 board planes. I mean, it basically snowballs. Rumors  
9 snowball through the Arabic community, through the  
10 other communities, and they basically ask me, should --  
11 should I let him fly? Should I let him go on this  
12 business trip?

13 So, you have to understand, even though that  
14 we're hearing very solid messages against, for example,  
15 racial profiling, against the whole atmosphere of an  
16 "us versus them" within this country, we're also  
17 hearing very conflicting messages and I can give you an  
18 example of the U.S. Department of Justice. As Mr.  
19 Zogby pointed out, their Civil Rights Division is doing  
20 their utmost to do their job and fulfill their mission.  
21 I know that Assistant Attorney General Boyd has done a  
22 really good job of outreach and of responding to the  
23 crisis. At the same time, you have other elements  
24 within the U.S. Department of Justice, including the  
25 leadership, that sends very different messages. I'm

1 assistant to Mr. O'Neil, and they said, well, he was on  
2 -- why did he not get back to us, he was on vacation --  
3 not vacation, on a trip overseas. And -- and I said,  
4 well, will -- will you please ask him to get back to us  
5 and let us know when they're going to, you know, give  
6 us the information we had asked for. Nobody ever  
7 called us back, even for the follow-up call. I think  
8 that's very poor performance, in my opinion. And it  
9 makes the community feel as if they want you to have  
10 meetings with them to give the impression that they  
11 care about your concerns but they're not going to do  
12 anything about the concerns, and that gives a very,  
13 very bad impression.

14 And the other thing I wanted to say is that  
15 of the few complaints that come to the floor and people  
16 are brave enough to come and complain about, there are  
17 another 10 for every one of them that comes forward  
18 because people are scared to death of reporting  
19 anything because they believe that if they report  
20 anything the next thing that will happen is there will  
21 be a knock on their door and they'll be taken away.

22 MR. SANDS: I'm going to ask -- yes -- the  
23 panel that's there have comments they want to make in  
24 answer to these --

25 MR. SHORA: If I can actually -- if I can

1 not naming names here, I don't want to get personal.  
2 I'm sure everybody understands what I'm talking about.

3 The other thing is, as far as the difference  
4 between before 9.11 and after 9.11, for example, the  
5 FBI said before 9.11 I think they had 11 or 13 Arabic  
6 speakers in the entire service. I'm curious to know  
7 how much -- how many they have now. Of course, they  
8 haven't told us how much they have now. It's -- it's  
9 been seven months now since the attacks. I'm not sure  
10 how -- you know, we hear that there is outreach efforts  
11 out there to -- to try to help the community cooperate  
12 with the criminal investigation at least, but we  
13 haven't received feedback. You know, they -- the --  
14 the -- the top brass get on TV, on national TV, and  
15 say, we want to hire you, we want -- we want this  
16 community's help, that community's help, but we don't  
17 know what happens later. Is this just lip service or  
18 not? We don't know.

19 The third thing is the media in this country,  
20 and you alluded to that. Yes, there's amazing negative  
21 -- negativity, and the primary thing that at least AD  
22 has noticed, I'm sure other groups have, is these so  
23 proclaimed experts that go on national TV. You've got  
24 these terrorism experts --

25 (Laughter)

MR. SHORA: They say extremely hateful --

BR. ABDUL-MALIK: (Comment off microphone)

MR. SHORA: Well, he's probably leader of the pack.

But these people, number one, they claim to be experts on the Arabic culture or on Islam yet they've never been to an Arabic country. Some of them haven't even left -- you know, they've probably been to Europe. They get Ph.D.s in psychology and political science and decide to write a book on terrorism, and all of a sudden, they're on CNN and MSNBC giving you their opinions every single day, every single night on primetime TV. So, the --

BR. ABDUL-MALIK: It doesn't help!

MR. SHORA: Exactly. It doesn't help whatsoever. The Federal agencies need to understand that. I mean, obviously, we're all human so we -- we're sitting there on TV every night at eight p.m. and watching TV or some, you know, news channel and you hear these same people over and over and over again. They're professional Arab -- that's all they are. They're not experts. And you know, if you want experts, talk to the people from within the community. Talk to -- if you want to understand Islam, for example, talk to an imam. If you want to understand

thing in response? Because there was a question, I think, about -- about state and local agencies and as well about our coordination with the EEOC. AS -- as you're probably aware, the EEOC is our feeder agency for complaints about employment discrimination.

MR. SANDS: If you'll pardon me, we're running very short on time and I wanted to hear from some of the other panelists -- we'll have with us always, others we may not have with us all -- Cynthia?

MS. GRAAE: I just wondered, you had said we need a stronger statement from the top. We have basically now a system of hand -- we have complaints and non-discrimination statements, and that seems to be the system that we have for handling the issue -- the larger issue that we're discussing. And I'm wondering how even that can be adequate when we're in a climate of strong statements from the attorney general such as, well, we'll get -- give money to our neighborhood watch organizations, when we are -- when the president is proposing to restrict the majors that foreign students can have when they come to this country, when they are required to leave the country in order to apply for student visa status. And I just wonder what your reaction to that is? How -- how adequate is this system at all?

something about the Arabic culture, talk to an Arab American. They'll tell you -- they'll tell you both the positives and the negatives and the differences and not the stereotypical rhetoric that's portrayed on TV almost every night. I'm sure all of you have seen those people. Thank you.

MR. DUTTA: I'd like to quickly expand on one point that both Kareem and Sharifa touched upon; that is, the mixed message that's been coming from the government. I think part of this problem is political; that is, that our -- our top leaders need incentive to do the right thing and to say the right thing. That is, there needs to be sustained message from leaders at the top, including Attorney General Ashcroft, -- for them to repeatedly say that hate crimes are wrong. Mr. Ashcroft, of course, the first to come on TV when someone like Massoui was charged for -- crimes, but we need someone of his caliber, of his rank to come in when someone is charged with a hate crime because that sends a very strong message to the community that hate crimes will not be tolerated.

And as I said, I mean, part of this is political. Pressure needs to be applied to these leaders so that they do the right thing.

MR. ZOGBY: Can -- can I also just add one

BR. ABDUL-MALIK: It's broke. It's broken. It's not --

MR. SANDS: I'm going to let Mr. Singh -- I've not heard your response to some of these questions. Do they provoke something in you? And I wouldn't want you to be -- without having further --

MR. R. SINGH: No, I -- I -- I in fact wanted to add a few things, that we've had meetings with some of the other governmental agencies. And we had a meeting with the FBI office and some of the hate crimes which in our community have occurred, and we were told that they have sent a letter to Department of Justice that -- especially the -- the person who was killed in Mesa, Arizona, that it should be a regularly prosecuted case. But Department of Justice has not moved on it. They've been sitting on it. And I -- that was something which we were quite surprised. And we -- I've tried to call the family to find out if there have been any -- any action on there and -- and we haven't heard any --

MR. ZOGBY: Can -- can I respond to that? The -- the Sikh Coalition is the organization with whom we've been coordinating very closely, and I think that that's the -- the letter that you're referring to. The Sikh Coalition followed up with us about our hate crime

1 investigations, and we have been working very closely  
2 with them. We had a meeting. Our assistant attorney  
3 general, Ralph Boyd, has met with the Sikh Coalition  
4 several times and we met with them with regard to this  
5 letter and with regard to our hate crime investigations  
6 very recently and -- and spent a significant amount of  
7 time walking through with them case by case each --  
8 each -- each case that had been referred to us and  
9 updating them on the status.

10 With regard to the Mesa, Arizona case, which  
11 I know is a case of -- of some significant concern,  
12 there is an ongoing local prosecution for homicide and  
13 we are -- are coordinating with -- with the local  
14 prosecutors in that case and monitoring the prosecution  
15 very closely.

16 MR. R. SINGH: But see, the -- the -- just to  
17 follow up on that, but the issue is that if it's a hate  
18 crime and if you want to use that as a deterrence  
19 nationwide, then you can't depend that as being a local  
20 homicide case. It is a hate crime, it's not a murder  
21 case, so it has to be raised at a Federal level and  
22 that's something which we would like to see Department  
23 of Justice very active in pursuing. It's the first  
24 murder after September 11th and there hasn't been any -  
25 - at the Federal level any attention given to that.

1 MR. ZOGBY: Well, that's -- that's not true,  
2 sir. There has been attention devoted to it.

3 MR. R. SINGH: Oh, well --

4 MR. SANDS: Pat?

5 MR. OKURA: Not so much a question, but I  
6 want to assure the panel that history has a way of  
7 repeating itself. It's taken -- and there's a  
8 tremendous amount of increase in hate crimes from the  
9 report of the Asian Pacific American Organization that  
10 someone referred to, tremendous increase. I've lived  
11 for nine decades, born in this country, and so on.  
12 However, it took -- the point I want to make is don't  
13 give up hope because it took us four decades, from 1942  
14 to 1990, before we could even have a hearing, and it  
15 resulted in the passage of the Civil Liberties Act of  
16 1988 for crimes that were committed by the government  
17 against those of Japanese ancestry after World War II.

18 I've lived up through all of that. We're  
19 making some progress but it's very, very slow. If it  
20 takes one group 40 years before you get a hearing,  
21 we're having this hearing in less than a year after  
22 9.11, so there is some hope. And out of some of the  
23 worst things that happened in our country, there are  
24 some bright things. And I've been through all of that,  
25 but I -- the point I want to make is that history has a

1 way of repeating itself, and we're seeing this all over  
2 again in -- happening right now.

3 That's the only comment I -- I think there'  
4 still hope, but it's -- comes very, very slow.

5 MR. SHORA: There's one point that I failed  
6 to make and I'd like to highlight as far as Arab  
7 Americans are concerned. There seems to be in the  
8 general population a mistake between Muslims and Arabs  
9 or Arab Americans. A lot of Arab Americans are Muslim  
10 but not all of them are Muslim. There is an estimate  
11 of three to four million Arab Americans in this  
12 country. About 40 percent, I believe, are Muslim, 60  
13 Christian.

14 The problem is, especially after September  
15 11, there are no Federal statistics on Arab Americans.  
16 We're not considered a minority group. We're not  
17 considered a recognized group of any kind as an  
18 ethnicity. If you look at the U.S. Census Bureau  
19 information, there is no information on Arab Americans.  
20 As far as Muslims, of course, there is. It's a  
21 religious group, recognized religious group. But --

22 BR. ABDUL-MALIK: But not on the census.

23 MR. SHORA: But it's not on the census. That  
24 is true.

25 So, as far as hate crimes are concerned, if

1 you're going to look four or five years from now at the  
2 FBI statistics, as of now you're not going to find a  
3 category that says "Arab American." And considering  
4 the September 11th attacks and the backlash, you must  
5 have that. The only jurisdiction that has any kind of  
6 statistics on Arab Americans as an ethnicity throughout  
7 the country is the city of San Francisco, and that's  
8 just the city, metropolitan city of San Francisco. So,  
9 something definitely needs to be done about that.

10 MR. SANDS: Our eastern regional director has  
11 asked for time -- our time has really expired for this  
12 panel, but of course, the regional director will have  
13 time.

14 (Laughter)

15 MR. CHUN: I will take just a minute or two  
16 out.

17 As I was listening to you and it occurred to  
18 me that it must have been a very painfully -- a painful  
19 experience for you to have prepared your preparations,  
20 which I appreciate very much because this is something  
21 you didn't have to do in an ideal world. And more than  
22 that, I don't think the first time you are making the  
23 plea-like presentations. Maybe 10, maybe too many  
24 times you've done it.

25 So, partly in appreciation of your efforts

1 and also in response to the comments you've made what I  
2 would like to do is just to share a bit of information  
3 as to what's going to happen from this -- from now on.  
4 As you know, Civil Rights Commission's Advisory  
5 Committees do not have any enforcement power,  
6 unfortunately. And some have a caricature just as a  
7 paper title, but sometimes paper titles can shout in  
8 your imagination.

9        Anyway, we are -- but I think we can be  
10 extremely effective in serving as a catalytic bridging  
11 liaison function between aggrieved citizens, community  
12 and advocacy organizations on one hand, and then local,  
13 state, and Federal officials and agencies on the other.  
14 And you have made a good -- good many suggestions and  
15 recommendations now.

16        The record is going to remain open for the  
17 next 30 days, during which time we'll receive a  
18 transcript of these proceedings and you'll -- all --  
19 all of you will have an opportunity to correct  
20 yourself. Now, during that time, I would suggest that  
21 you do make some specific recommendations. Leverage  
22 recommendations, make them as specific as possible to  
23 particular agencies. If Sterling, say, county  
24 officials did not respond to your request for --  
25 regarding -- we need specific information as to what

1 needs to be done and so on.

2        All that so that in the next couple weeks,  
3 once we get the transcript, the members of the  
4 Intersect Committee will get together and we will begin  
5 to deliberate amongst ourselves how to integrate, how  
6 to weave various recommendations, what should be  
7 recommended to whom, and so on. And your additional  
8 contributions will be very critical for us to do that.

9        The report is -- will be hopefully will be  
10 released sometime this fall. Now, way before that,  
11 once we have a transcript verified by all of you, then  
12 it will be placed on the Web site, hopefully in the  
13 next two, at most three months. And then, soon  
14 thereafter, hopefully there will be a written report,  
15 at which time perhaps a good many of you will be -- be  
16 invited again to participate in that event.

17        So I thought I would share with that with you  
18 as an appreciation, also as a written response to the  
19 requests you have made. So, my plea to you is -- and  
20 also encourage your colleagues to submit additional  
21 informations if you have or if they would. And as far  
22 as the recommendations, no -- not a broad  
23 recommendation as such but very specific to individual  
24 agencies, whether they are Federal or local. If  
25 Secretary O'Neil did not respond to your request in

1 spite reminder, that's something we need to see in  
2 writing. Then we can forward that. If certain county  
3 and the local government officials did not respond in  
4 spite your requests, that's what we need to know. Who  
5 was it, so that we can take the matter to the next  
6 step. Thank you.

7        MR. SANDS: I'm going to extend us until  
8 12:00, so -- yes, sir. Would you come to the  
9 microphone here?

10        Comments and Questions from the Audience

11        AUDIENCE QUESTION: Thank you. Actually, I  
12 have -- my question would be going to the Department of  
13 Justice. I used to be working with -- I came to this  
14 country as a refugee. I'm from Sudan. And I used to  
15 be working with refugees as a case manager. When --  
16 when we come to this country, usually we have to  
17 document they call it I94. I guess, maybe you are  
18 familiar with it. On -- on the back of it, it was a  
19 stamp that the refugees have in -- indefinite right for  
20 -- for -- and residency in America. It is very amazing  
21 that following September 11th that we have this right  
22 for -- that some of the refugees who have Islamic or  
23 Arabic names when they apply for -- they tell them that  
24 they don't have -- authorization though -- though it  
25 was said on the back of the I94. And they were asked

1 to call Department of Justice. Personally, I know many  
2 of them who called the Department of Justice and they  
3 didn't get analysis, so I would appreciate if you  
4 reflect on this point. Thank you.

5        MR. ZOGBY: Sure. Thank you for -- for that  
6 question.

7        I -- I guess two comments. The first is that  
8 I'm -- I'm, as you know, in the Civil Rights Division,  
9 and the Immigration and Naturalization Service has  
10 authority over the issue that you just discussed with  
11 regard to -- to issuing documentation and -- and work  
12 authorization. And if you -- if you can come up  
13 afterwards, I can give you some -- some contact  
14 information in the INS that you can use to -- to try  
15 and get an answer to your question.

16        I -- I do want to point out that if  
17 individuals believe that they're being discriminated  
18 against on the basis of their citizenship status,  
19 including in the work place -- if, for example, they  
20 are being asked for additional documentation that is  
21 not required by law, you can file a complaint, and  
22 there is an office in the Civil Rights Division, it's  
23 the Office of Special Counsel, that -- that  
24 investigates such complaints. And I can give you the  
25 contact information for that office as well if you see

1 me afterwards.

2 AUDIENCE QUESTION: You'd better call quick.  
3 The INS is being dismantled as we speak in a hearing on  
4 Capitol Hill. I just got a call.

5 (Laughter)

6 MR. SANDS: Would you give your name?

7 AUDIENCE QUESTION: Yeah. My name is Albert  
8 Mokaiber. I'm a member of the Arab American community.  
9 I'm also an attorney and I'm schizophrenic. We go to  
10 the --

11 (Laughter)

12 AUDIENCE QUESTION: -- Department of Justice  
13 and we're told all the right things about civil rights,  
14 and no sooner do we leave that there's somebody behind  
15 us following us all the way back to find out where  
16 we're going and what we're doing in our political  
17 rights. And I want to very briefly -- I know time is  
18 short -- to commend this Commission and the panelists  
19 all for convening this. As the gentleman from the  
20 Japanese American community said, it is in short order  
21 but history does repeat itself. And last month I spoke  
22 to the Japan Fund in New York on the issue of war  
23 hysteria, the case of Japanese Americans and Arab  
24 Americans. And we don't want to see what happened to  
25 the Japanese Americans happen to anyone, in particular

1 our own community, because it took 18 months before  
2 Japanese Americans were interred after Pearl Harbor.  
3 And we're only halfway there and things are getting  
4 uglier as we go on.

5 And I want to point specifically to the cases  
6 of the raids on northern Virginia. They were not only  
7 abuse of the Fourth Amendment and Sixth Amendment but  
8 also the First Amendment rights. By illegal searches  
9 and seizures took everything in people's homes and  
10 their businesses, handcuffed these poor women.  
11 Businesses are effectively shut down. No charges have  
12 been levelled. Department of Treasury agreed and  
13 promised to conduct an investigation to the abuses and  
14 still, even the -- the personal property for the most  
15 part has not even been returned. It's an unlawful  
16 taking, it's an abuse, and it's right underneath our  
17 own noses.

18 The fear --

19 MS. ALKHATEEB: And -- and the computers that  
20 were returned --

21 QUESTION: Were --

22 MS. ALKHATEEB: -- had everything erased off  
23 of them.

24 QUESTION: Either -- either the hard drives  
25 were missing or they were broken. But I'm sure that

1 the bugs that were placed throughout the offices work  
2 very fine.

3 What I would like to ask of this commission  
4 is I know that you have a lot of work and I know you  
5 take time for this report to come out, but in the  
6 meantime, as these people sit idle, idle, to please, if  
7 you could send a letter or call -- a letter, I think,  
8 would be even more effective -- to Secretary O'Neil and  
9 to Mr. Ashcroft and ask that the requests of these poor  
10 people be dealt with immediately and that we have an  
11 assurance that no further actions like this will take  
12 place.

13 This is all directly a result of the U.S.A.  
14 Patriot Act, which does not just impact on permanent  
15 residents and others without status but also on  
16 citizens in various areas. And I know you dealt with  
17 that in depth yesterday, but it's a very scary  
18 situation. We need your help. We need it now. We  
19 can't wait 30 or 90 days because these businesses and  
20 these institutions are closed.

21 By the way, as a side note, one of the  
22 institutions actually trained nine of the 12 imams that  
23 are chaplains in the U.S. Army, okay? Speaking exactly  
24 to what Imam Johari was saying. On the one end, you  
25 want our cooperation; on the other end, you view

1 with contempt and fear.

2 Personally, I must tell you, I'm a fourth-  
3 generation Arab American. My grandfather was in World  
4 War I, my father World War II, my brother during  
5 Vietnam, and I have two nephews on active duty now. We  
6 do not need to take a political litmus test. We're  
7 solid citizens. Thank you.

8 MR. SANDS: Thank you.

9 QUESTION: Good afternoon. My name is  
10 Charlene Graves, and I am one of those community  
11 outreach specialists that was spoken about today. I  
12 work for the U.S. attorney's office representing the  
13 Department of Justice, and I work out of a police  
14 district. I have six counterparts located throughout  
15 the city. We're each assigned to a police district.  
16 And one of our major roles is to go out into the  
17 community and attend many of the neighborhood community  
18 groups and working group associations and find out what  
19 the concerns are about the community.

20 I just wanted to let you know that and to  
21 reassure you that the seed of sensitivity is being  
22 planted in many of the neighborhoods to the extent that  
23 one of the advisory neighborhood commissions actually  
24 passed and approved a resolution not tolerating any  
25 bias or hate-related incidences towards Middle Eastern

1 American cultures or any other ethnic groups, actually.  
2 And I just wanted to let you know that hopefully where  
3 a seed is planted a garden will flourish. Thank you.

4 MR. SANDS: Okay.

5 (Pause)

6 MS. FROMAL: I'm very -- very concerned about  
7 discrimination in the courts. It's come up a couple of  
8 times in other sessions, and this is not particularly  
9 for the Department of Justice, but I -- because there's  
10 several attorneys up there that could probably address  
11 this issue, too. They've probably experienced some of  
12 it.

13 This panel did an excellent study. It's out  
14 here on unequal justice a couple of years ago in the  
15 area from where I come. And I've seen so much  
16 discrimination in the court, and that scares me. And  
17 now when we -- broadened a law that can cause this  
18 discrimination before it gets to the courts, I'm just  
19 getting more and more apprehensive of what's going to  
20 happen in our justice system. And I want to know  
21 specifically how the Department of Justice is going to  
22 address this and if this is covered under Section I  
23 think it's 1983. You mentioned "color of law," and I  
24 guess I've always heard "color of state law," but does  
25 that also cover the Federal courts? Because I'm sure

1 we have in the past and continue to work with various  
2 community-based organizations, including the ADC, the  
3 Arab American Institute, SAALT, SMART, and the Sikh  
4 Coalition. And from what we've been told and from what  
5 I've gathered here today, the initial outreach by  
6 Federal agencies to vulnerable communities has been  
7 very good and there is a real openness in terms of  
8 receiving complaints, but one major and consistent  
9 concern that has been raised to us has been the lack of  
10 follow-up.

11 And -- and so, the policy -- the organization  
12 I work for has been making an effort to coordinate  
13 follow-up meetings with various Federal agencies,  
14 including the DOT. But obviously, we're limited in our  
15 capacity to be able to do this for every situation.  
16 So, what I would like to recommend to the Commission is  
17 to perhaps recommend in your report or in a formal  
18 letter the need for a formal follow-up mechanism or  
19 procedure which doesn't seem to be in place at this  
20 time. And Mr. Shora mentioned the EEOC. Perhaps their  
21 procedure could serve as a best practices model. And  
22 that's what I wanted to say. Thank you.

23 MR. ZOGBY: I'm sorry, but can I just -- just  
24 make a brief comment on the -- on the -- I started to  
25 say it before on the EEOC issue. The EEOC is -- is, as

1 that that is going to be an issue.

2 MR. ZOGBY: I'm -- I'm not sure that I -- I  
3 completely understood the question. You're asking if  
4 -- if the Justice Department has jurisdiction over  
5 allegations of civil rights violations --

6 MS. FROMAL: In the courts.

7 MR. ZOGBY: -- by judicial --

8 MR. DARDEN: Excuse me just a minute. Not to  
9 -- I am interrupting, so forgive me. We are into  
10 overtime. Ms. Fromal is a member of the Advisory  
11 Committee and we will have an opportunity after the  
12 meeting to send our questions from the Committee for a  
13 response. But I'd like to reserve the time that we  
14 have now, as the chair said, for some of the other  
15 panelists.

16 MS. FROMAL: Okay. That's fine, but I --  
17 this is a great concern. I would like an answer.

18 MR. ZOGBY: We'll be happy to respond to your  
19 question.

20 MS. FROMAL: Okay. That's fine.

21 MR. SANDS: Anyone from the general audience  
22 have any questions --

23 (Pause)

24 QUESTION: My name is June Han. I'm with the  
25 National Asian Pacific American Legal Consortium. And

1 you know, a feeder agency on employment discrimination  
2 complaints. We don't have initial jurisdiction over  
3 those complaints until they are referred to us by the  
4 EEOC. So, it would be appropriate for the EEOC -- for  
5 you to follow up with the EEOC on employment  
6 discrimination complaints whereas follow-up on hate  
7 crimes complaints could come to us.

8 And just on the issue of follow-up, I have an  
9 open door. And if anyone has any questions or  
10 concerns, they are always free to bring them to me at  
11 -- at any time, and -- and I'll say that on behalf of  
12 Said Koreshi, who's also working with me on the  
13 initiative as well. Please follow up with us  
14 afterwards if you -- if you -- if you want to. And I  
15 know Kareem and Sharifa and -- and others who are here  
16 have my number and -- and I'm always available.

17 MR. SANDS: I'm going to ask our staff -- one  
18 of our staff representatives here, Ed Darden, to close  
19 out our panel with whatever his remarks are are going  
20 to be our final remarks.

21 MR. DARDEN: Oh my goodness. I don't want to  
22 mislead you. I really am not going to make remarks. I  
23 did have one question, though, to the panelists.

24 It seems as we've discussed that getting a  
25 response from government is not very fruitful in many

1 cases. That being the case, turning then within your  
2 communities among yourselves, what do you see as ways  
3 in which without necessarily getting government help or  
4 government responsiveness you could do or might do  
5 within your communities to respond to these problems?

6 MR. SHORA: I feel like I can start. Since  
7 September 11th I know my organization has opened five  
8 or six offices nationwide, staff -- fully staffed  
9 employed offices in major metropolitan areas to address  
10 local communities' concerns, metropolitan areas where  
11 there is a high concentration of Arab Americans.

12 Aside from that, it's actually not -- we have  
13 the expertise, we don't have the capacity is the issue.  
14 If -- if -- if we're given the funding, for example, by  
15 the proper Federal agencies, ADC can dedicate a lot  
16 more effort towards the civil rights aspect of its work  
17 than we currently do. For example, since September  
18 11th, again, our legal department has actually doubled  
19 in size from two full-time attorneys to four full-time  
20 attorneys because we really need it. And we can  
21 actually employ 10 full-time attorneys if we had the  
22 resources. The problem is with resources, so that  
23 that's the major issue.

24 I mean, we opened an office in New York, for  
25 example. We didn't have an office in New York.

1 community to put -- put their time into it, and it can  
2 have very fruitful results. One of the results of that  
3 was that people had a little bit more of a sense  
4 -- that government is not out to get every Arab  
5 American and every Muslim. Well, that was an important  
6 message, you know. I mean, some people still aren't  
7 convinced of that, but still, it went a long way.

8 MR. R. SINGH: On our community's part, we --  
9 our organization has tried to do pretty much the same  
10 thing what my other colleagues have just said, that  
11 that is -- well, a lot of the problems that the Sikh  
12 community has faced is because of ignorance about our  
13 religion and our culture. Ninety-nine percent of the  
14 people who wear turbans in this country are Sikhs but  
15 we are seen somehow related with bin Laden.

16 So, they -- there's a sort of twofold tasks  
17 we have. One is to counsel our own people that they  
18 don't shave off their beard and turbans and want to  
19 sort of intermingle into the crowd by relieving their  
20 identity. And that's a very, very important task our  
21 religious leaders should have and -- and community be  
22 issued, this -- to really counsel people, especially  
23 small kids who go to schools and colleges and high  
24 schools where they are every day facing harassment.

25 And the second thing is to educate outside

1 Cleveland, Houston, Chicago, Boston. If you give us  
2 the resources, we have the expertise. The Arab  
3 American community is willing to do what it can,  
4 especially the activists among us, to try to assist the  
5 Federal government in its outreach efforts as long as  
6 you, you know, do the same thing and -- and help us out  
7 with that.

8 MS. ALKHATEEB: In order to assist the  
9 government agencies to be less opaque than they are,  
10 we've been organizing town meetings with people in  
11 the -- in the communities. So, I was the one who  
12 organized the town meeting with the INS, the FBI and  
13 the U.S. attorney general's office, and we had -- we  
14 had it at the Government Center in Fairfax County here  
15 in the board room, and we had about 350 people come out  
16 to that. And even though, you know, it's a limited  
17 number of questions that you're able to ask in a three-  
18 hour period, it was much better than not having  
19 anything.

20 So, I think that's something that we can do.  
21 It does take time and effort and money, and we're a  
22 very poor organization, but we're -- we put effort into  
23 it and it -- it brought results. And I think that some  
24 things really don't need money, they just need time and  
25 effort and -- and the -- and the willingness of the

1 about us. We've been planning trips to churches and  
2 schools and colleges trying to educate people about our  
3 religion. But it's just that the -- the task is so  
4 tremendous that we don't have the capacity to handle  
5 all of this and that we don't know if there is any way  
6 we can get the assistance from Federal agencies to  
7 educate people about the diverse cultures which are in  
8 the United States.

9 BR. ABDUL-MALIK: Well, I think that this is  
10 probably not the place to submit requests for  
11 proposals.

12 (Laughter)

13 BR. ABDUL-MALIK: But I will say that -- that  
14 the community at large has responded to the crisis with  
15 a suggestion which comes from the Koran, that we were  
16 created in different tribes and nations, that we should  
17 know each other, not despise each other. Verily, the  
18 best among us are the ones who have piety. And all of  
19 us have tried to do that and with whatever resources  
20 but to cause our neighbors to lose their fear of us  
21 because we're different, and this has been done in  
22 variety of ways and in whatever way we can increase  
23 that, the awareness that those people have rights that  
24 need to be respected along with their differences.

25 CHAIRMAN PATRICK: With those words, we come

1 to the close --

2 MR. SANDS: We have one more.

3 CHAIRMAN PATRICK: Oh.

4 MR. SANDS: -- Dutta.

5 CHAIRMAN PATRICK: I'm sorry. Sorry.

6 MR. DUTTA: Well, I'll be very quick. I

7 think we can be more proactive so that we can try to

8 head off such tragedies in the future. That is, just

9 to get involved in our communities. That is, for

10 example, I'm going to be speaking next month to the

11 National Girl Scouts Association on, you know, my

12 ethnic heritage. You know, we just need to promote

13 understanding between all groups. It's a cliché, but

14 it's so true. People need to see that we're not the

15 "other," that we're not foreign, that we're not

16 different, strange, alien, you name the word. They

17 need to see that we're all can and should be friends,

18 colleagues, comrades.

19 CHAIRMAN PATRICK: With those words, we once

20 again thank the panel for adding to this discussion.

21 The next panel will -- will be at 1:00.

22 It'll be called "Local Government Actions and Responses

23 by Affected Group Representatives." And I'd like to

24 thank this panel.

25 (Applause)

1 (Whereupon, at 12:10 p.m., on April 25, 2002,

2 the proceedings were adjourned for lunch, to reconvene

3 at 1:20 p.m., the same day.)

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1 AFTERNOON SESSION

2 1:19 p.m.

3 Local Government Actions and Responses by Affected

4 Group Representatives

5 CHAIRMAN PATRICK: Good afternoon and welcome

6 back to our conference which is titled "Civil Rights

7 Concerns in the Metropolitan Area in the Aftermath of

8 the 9.11 Tragedies: Muslims, Sikhs, Arab Americans,

9 South Asian Americans and Muslim Women."

10 I am Richard Patrick and I'm chair of the

11 Virginia State Advisory Committee of this collaborative

12 effort between and -- the Virginia Advisory Committees,

13 the D.C. Committee, and the Maryland Committee. We

14 welcome you once again.

15 This panel is entitled "Local Government

16 Actions and Responses by Affected Group

17 Representatives." We're running a little bit behind

18 time, but we're sure that the -- our panelists and our

19 commentators will bring us some additional

20 enlightenment on the subject. And to introduce this

21 panel, I'll turn it over to Dr. Sheila Carter-Tod,

22 member of the Virginia State Advisory Committee.

23 MS. CARTER-TOD: We do welcome you all back

24 after our lunch break. We have some shuffling in terms

25 of -- that's different from the program, so I'll just

1 introduce basically who will be presenting to us first.

2 And we'll also -- this format is slightly different

3 than the ones in the past in that before we had all of

4 the commentators speak and then we had a question -- a

5 question-and-answer session. This session will

6 basically have all of the -- this side of the

7 commentators or the presenters present their

8 information. Then, we're going to have a switch-over,

9 have the commentators present their information, and

10 the questions and answers will be held at the end. So,

11 there'll be two sets of presentations in that sense.

12 With that in mind, we do need to keep

13 basically to about 10-minute time slots so that we are

14 able to hear from everyone. There's been so much

15 valuable information that we don't want to miss out

16 because of the lack of time.

17 First up today we have Ronald -- Ronald

18 Clarkson, who's a community relations manager for

19 Montgomery County. He's -- he's going to be presenting

20 first. Then we will hear from Penelope Gross --

21 CHAIRMAN PATRICK: Who I see is --

22 MS. CARTER-TOD: -- has not --

23 MR. DARDEN: I have an announcement about

24 Penelope --

25 MS. CARTER-TOD: Okay.

1 MR. DARDEN: She's an elected official and  
2 they said -- will be here but asked if she could be put  
3 last.

4 MS. CARTER-TOD: Okay. Okay.

5 MR. DARDEN: In addition to that, she's going  
6 to be wearing two hats, as we've invited her but she'll  
7 also be representing Michael --

8 MS. CARTER-TOD: Oh, Michael Rogers?

9 MR. DARDEN: Michael Rogers --

10 MS. CARTER-TOD: Okay.

11 MR. DARDEN: -- speaking on behalf of the --

12 MS. CARTER-TOD: Okay. So we'll actually  
13 have Penelope Gross go later. She has a prior  
14 commitment and will be coming in later, and she'll also  
15 be doing the overview for us which was supposed to be  
16 presented by Michael Rogers. So, I guess following  
17 Ronald Clarkson we will have James Ashton, who's  
18 Virginia State Department of Education. Then we'll  
19 have Brian Boykins, lieutenant commander for Mason  
20 District, Fairfax County Police, and then that -- then  
21 we'll hear from Sharee Freeman, who's the director of  
22 community relations services for the U.S. Department of  
23 Justice.

24 MR. CLARKSON: Thank you very much. As she  
25 said, my name is Ronald Clarkson. I am the community

1 could happen here in the United States. And like most  
2 people, our staff and people throughout our building  
3 were -- televisions and radios trying to get a handle  
4 on what was going on. Shortly after that we started  
5 making phone calls to communities that we thought might  
6 start experiencing retaliation. Pretty much that  
7 afternoon the police department who has -- the police  
8 department has a gentleman who monitors hate violence  
9 claims in our county, and he got on the phone that  
10 afternoon and started calling people, letting them know  
11 that he's available if anything happens, if they start  
12 hearing about things, that he was also available to  
13 perform security checks in facilities to make sure that  
14 -- okay. Security checks in facilities to make sure  
15 that they have the maximum amount of security possible  
16 and also to give them a sense of security that the  
17 county does care about, you know, what's going on in  
18 the specific communities.

19 I did have a conversation with him that  
20 evening, and we talked about the fact that we were  
21 going to have to get on the phone and stay in touch  
22 with people right away and find out what's going on,  
23 trying to keep a pulse on the sense of the community.  
24 My staff was also instructed to call all the people  
25 that they knew in the various communities and find out

1 relations manager for Montgomery County out of the  
2 office of the County Executive. And that position  
3 encompasses three specific duties. One is managing the  
4 county's minority outreach effort. The county  
5 executive has an Office of Community Outreach and I  
6 supervise that staff, and they perform outreach  
7 activities with the different minority communities in  
8 our county.

9 I also participate in managing the county's  
10 Boards, Committees, and Commissions Program, and we  
11 have over 70 different boards, committees, and  
12 commissions in our county, and my job is -- manage that  
13 -- that overall process.

14 And then, I also assist -- in handling  
15 complaints about the police department, performance of  
16 officers in the police department that come to the  
17 county executive's office. And those complaints are  
18 forwarded on to the police department. They actually  
19 conduct the investigations --

20 With regard to our outreach efforts to  
21 minority communities and -- and our work after  
22 September 11th, everybody knows that the situation of  
23 course in the beginning was very tense and the  
24 atmosphere at that time was one where -- pretty much in  
25 disbelief. No one believed that this type of thing

1 if anything's happening already and try to get a handle  
2 on things. This was based on our own guess that people  
3 might retaliate for such an activity and that we know  
4 that in the past lesser things have created people's --  
5 or has put gasoline, I guess, on the fire for people in  
6 terms of how they act out in -- in -- with their  
7 hatred.

8 And with that in mind, we were active that  
9 entire week, going out to locations, making phone  
10 calls, talking to people, trying to reassure the  
11 community, and making sure that things were under  
12 control, and then providing feedback to the county  
13 executive with regard to people's comfort level and  
14 what have you. The county executive, of course, was  
15 preoccupied with maintaining control and management of  
16 the emergency response.

17 Montgomery County did respond. We have an  
18 urban search and rescue team which responded to the  
19 Pentagon itself as well as our fire department, which  
20 was responsible for putting out the fire on the roof of  
21 the Pentagon. And so, that day, September 11th,  
22 we activated our emergency operations center. The  
23 county executive, all of the public safety officials,  
24 as well as some other affected departments were  
25 involved in the operations center and monitoring the

1 emergency response.

2 At that point we do not have any reports of  
3 hate crimes, hate activity, and so the focus from the  
4 top leadership at that point was dealing with the  
5 emergency response and how the county would respond to  
6 things.

7 Subsequently, as everybody knows, that week  
8 President Bush asked for a national day of prayer, and  
9 that was held on Friday, September 14th. With that,  
10 our county executive put together an event that would  
11 be held in -- an outdoor event that would be held in  
12 Rockville for public safety -- public sector employees  
13 to also have a day of prayer, or at least a moment of  
14 prayer in the center of Upper -- excuse me, of  
15 Rockville. We put together a program with an  
16 ecumenical sense of having representation from  
17 different faiths, and each -- not each, but I should  
18 say several faiths were represented and had  
19 opportunities to offer prayers for the families and the  
20 victims. This set a tone that seemed to carry out  
21 throughout the following months.

22 The county executive also -- if I backtrack a  
23 little bit, September 12th also coincided with the date  
24 that the county's Committee for Hate Violence had its  
25 regularly scheduled meeting. And so, that evening, of

1 course, there was a lot of concern about what would  
2 happen out in the community. They expressed a  
3 concern -- and I -- I sit on that committee on behalf  
4 of the county executive. They expressed a concern for  
5 minority populations in the county and asked that the  
6 county executive make a statement about tolerance in  
7 the county and making sure that hate crimes do not  
8 occur.

9 I brought that to the county executive, and  
10 he totally agreed with that and included that later in  
11 the week in his message on September 14th. And that  
12 message, along with being an ecumenical event,  
13 included, of course, the -- some of the patriotic  
14 fervor that everybody was experiencing but also a call  
15 for the community to look out for one another, to  
16 protect one another, and to make sure that we do not  
17 make victims of our neighbors, people who we've been  
18 living next to, working next to for so many years who  
19 may be of different faiths, different ethnic  
20 backgrounds, may look different than us, but yet we  
21 still must respect them as individuals. And -- and  
22 that statement was very well received.

23 And subsequently, the county executive  
24 enlisted the support of his Human Rights Commission.  
25 He had asked that those commissioners as well as the

1 staff of the Human Rights Commission go out in the  
2 community, get in touch with people, make sure that  
3 they also were aware of what was going on in the  
4 community, and they did that. They visited mosques,  
5 they went to locations with people, discussed issues  
6 with individuals as well as groups about potential  
7 concerns or concerns that may have arisen.

8 By that time there had been some minor  
9 incidents of hate violence in the county, and I can --  
10 when I use the word "minor," I know it's a judgmental  
11 thing on my part, but then when you have somebody being  
12 -- some type of graffiti on a car bumper sticker,  
13 some -- a bumper sticker that may, you know, promote  
14 Allah, that someone would disfigure that bumper sticker  
15 on that car. Things of that sort started to occur.  
16 And probably the most serious event would have occurred  
17 later in October, early November, where, you know,  
18 verbal altercations between people would occur but no  
19 actual assaults, no physical assaults. We felt that we  
20 were fortunate in that regard, but we did have acts of  
21 that type occurring in our county.

22 The county executive also decided to use all  
23 opportunities for public education and opportunities in  
24 the media and with PSAs as well as opportunities just  
25 dealing with news items that came up in promoting

1 education about bioterrorism. By October we were  
2 facing anthrax threats in the Washington area, and he  
3 was responding to those kinds of inquiries. Some of  
4 the mail that was processed at the Brentwood facility  
5 in Washington, D.C. -- actually, all of it was being  
6 forwarded to Montgomery County in our Shady Grove  
7 facility, and so there was heightened tension there  
8 until there was a big education campaign going on with  
9 regard to that. In line with that, he was also  
10 stressing tolerance and being mindful that, you know,  
11 we're still living with our neighbors and friends and  
12 try not to -- to victimize them as well.

13 MS. CARTER-TOD: You have about one more  
14 minute.

15 MR. CLARKSON: Okay. Thank you.

16 And all of this, of course, set the tone for  
17 how he would continue on in the coming months. In the  
18 subsequent months, we've held public forums where the  
19 county executive with the fire administrator and our  
20 health officer went out to the public and talked about  
21 bioterrorism preparedness. In that, they also would  
22 talk about tolerance and being mindful that we also  
23 need to, you know, once again be tolerant of all  
24 faiths, all individuals, and recognize the value of all  
25 into our community and not -- once again, not

1 experience hate crime in the community

2 And it culminated, to one degree anyway,  
3 where the county executive holds an annual prayer  
4 service every year, in December of every year. This  
5 year it fell during the month of Ramadan. We felt it  
6 would be appropriate if there was a mosque nearby to  
7 hold it in the mosque. And we found a mosque nearby  
8 that was willing to allow us to come there and hold our  
9 prayer service there, and we did so, and we had the  
10 largest turnout we've ever had for one of our prayer  
11 services. And the county executive was able to -- it  
12 wasn't verbal -- it wasn't a verbal statement because  
13 politicians do not speak. It was an ecumenical service  
14 and it was just the faith leaders. They all spoke.

15 But it was a statement by presence that, you know, we  
16 recognize the value of the mosque in the community and  
17 that we are going to learn as much as we can about this  
18 community and make sure that we once again do not  
19 victimize that community. Thank you.

20 MS. CARTER-TOD: Thank you very much. We  
21 have had Charles Moose join us as well, and we hate to  
22 put you on the spot upon arrival, but we did want to  
23 stay according to areas, and you're our second  
24 representative from Maryland.

25 POLICE CHIEF MOOSE: Okay. And --

1 involved in all of that, even up to, certainly, within  
2 an hour after the second explosion at the World Trade  
3 Center to put police cars at our mosques in the county  
4 to protect them, not to go there to look for possible  
5 suspects but to recognize that in looking at our  
6 intelligence that these would be potential targets.  
7 And certainly, we did the same with our various Jewish  
8 facilities throughout the county also, knowing that as  
9 this unfolded maybe those groups would need a little  
10 higher level of protection over the next several  
11 pending days, if not weeks.

12 And then, certainly, meetings to prepare  
13 people with regards to the issues of homeland defense,  
14 and then the -- the -- again, the approach of looking  
15 at the different facilities, school plans, and then an  
16 aggressive investigation of this spike in hate crimes.  
17 And it really, I think, was critical that we show a  
18 real sensitivity there.

19 The second critical piece was in the area of  
20 public safety coordination. Because of the mutual aid,  
21 all of the people working together, everyone was  
22 working long hours, and different public safety  
23 agencies had different tools and assets. Some public  
24 safety agencies maybe had a different degree of  
25 relationship with many of our various communities.

1 MS. CARTER-TOD: You have about 10 minutes to  
2 present your information and then we'll move on.

3 CHAIRMAN PATRICK: There'll be time for  
4 questions later on.

5 POLICE CHIEF MOOSE: Okay. Let me just say  
6 that my apologies, certainly, to fellow panel members  
7 and people in the audience. I -- once you get a bad  
8 set of directions, you know, you do the best you can.

9 But it is our pleasure to be here. You know,  
10 certainly, one of the things that we look at post-  
11 September 11th really is in one way kind of a new  
12 normal that you try to look at and say what -- what is  
13 the best that we can do. So, we've tried as a police  
14 agency to look at three categories, three broad  
15 categories: community outreach, public safety  
16 coordination, and then, certainly, internal issues.  
17 And really, that focus with the community outreach is -  
18 - there were so many people in our community that were  
19 identified as culprits right away, and we had a  
20 tremendous spike in our hate crime statistics, and it  
21 was just very sad to see some of the approach that many  
22 of our fellow Americans took toward this very tragic  
23 incident.

24 So, we certainly did a lot of outreach, as  
25 Mr. Clarkson has explained. The police were intimately

1 tried to pool the resources with regards to people that  
2 knew things culturally, could speak different  
3 languages, to make sure we maximized those resources as  
4 we tried to respond.

5 And then, thirdly, just our internal response  
6 where we first and foremost reissued our policy and  
7 directive on civil and human rights. It has been a  
8 policy that we've had for a number of years, but again,  
9 this seemed like the appropriate occasion to put that  
10 information back in front of the work force to make  
11 sure that they knew that they were also expected to  
12 behave appropriately no matter what situation they were  
13 dealing with.

14 And then, certainly, equipment, all of those  
15 issues, and then tried to focus also on counseling,  
16 both counseling for people in the community and  
17 counseling for people inside the agency. We have  
18 learned, I think, over time the tremendous amount of  
19 stress this event brought to all involved parties, and  
20 so trying to work with people, make sure that they were  
21 letting their feelings be known, to give them a chance  
22 to -- to sit in a forum to make their -- their feelings  
23 known so that they didn't carry them with them and have  
24 those feeling -- manifest themselves in some kind of  
25 violence.

1 But again, the -- the hate crimes, I did  
2 bring some statistics -- maybe I can cover them later  
3 -- with regards to some of the spikes, some of the  
4 things that we saw. Very proud of the county in the  
5 sense that we have been able to -- to agree that for us  
6 a hate crime is a hate crime if the victim thinks it  
7 was a hate crime. We really don't try to get the  
8 definition any more complex than that.

9 Now, certainly, it does get confusing  
10 sometimes because people want to know, are they going  
11 to be prosecuted that way, and we're not in charge of  
12 prosecuting. Certainly, those are legal terms. The  
13 attorneys, the state's attorney makes that final call,  
14 but the statistics that we gather, the numbers that we  
15 turn in to the Federal Bureau of Investigation, if the  
16 victim thinks it was a hate crime, we count it that way  
17 and we also -- as a mandate on our policy, all hate  
18 crime reports need to be sent immediately to me in my  
19 office so that we can be aware of that in a broad  
20 context. And now we're working with various  
21 communities of interest to try to make sure we  
22 disseminate that information so that they can also  
23 track trends and patterns and maybe assist us in  
24 finding solutions to trends and patterns. Sometimes an  
25 arrest is clearly the best solution, but sometimes

1 there are other strategies and things that need to be  
2 put in place with regards to information and education.

3 So, those are just some of the things. I,  
4 again, missed the key introduction there, so I hope I  
5 hit some of the points that you were interested in.

6 MS. CARTER-TOD: Thank you. Mr. Ashton?

7 MR. ASHTON: Members of the panel, ladies and  
8 gentlemen, my name is James Ashton, and I'm  
9 representing Dr. Jolynn DeMari, who's the state  
10 superintendent with the Virginia Department of  
11 Education. I want to thank the panel for inviting us  
12 to participate in this activity, and we hope that some  
13 salient ideas, strategies, and other kinds of things  
14 can come from this that will alert us to changes that  
15 need to be made in our society.

16 In the State of Virginia there are over 130  
17 school divisions, and each division is an autonomous  
18 division operating under the parameters of the Virginia  
19 Department of Education. And within the Department,  
20 there are a number of ideas and procedural processes  
21 that we implement year after year that instruct the  
22 school divisions as to their direction that they must  
23 take in terms of providing educational programs that  
24 are sound. In that regard, after the melee and the  
25 problems that occurred on 9.11 and even prior to that

1 time the Virginia Department of Education put in place  
2 crisis management systems that each school division  
3 across the state have been adopting and modifying and  
4 tweaking over the last three or four years. The system  
5 of which I speak really was the instrumental system  
6 that helped to provide counseling and remedy some of  
7 the problems that were occurring not only in the school  
8 divisions but in local communities, and I'd like to  
9 believe that at this point in time because there was an  
10 effective communications process, because there were  
11 some procedures developed by educators throughout the  
12 Commonwealth of Virginia that some of the crises that  
13 perhaps could have arisen were averted.

14 And I want to speak to that point this  
15 afternoon because I had the occasion over the last  
16 several days to poll a few of the school communities to  
17 share with you some ideas and strategies that were used  
18 in communities across the commonwealth that helped to  
19 deal with issues that came from the 9.11 incident.

20 And you might know that we are really pleased  
21 in the State of Virginia that we have counselors who --  
22 whose efforts are designed to not only offer guidance  
23 but also stand in the gap to provide those kinds of  
24 needed services not only to youngsters but to affected  
25 parties in education when crises arise. We publish

1 and have published for the last few years director --  
2 directories throughout the state in our particular area  
3 that help to deal with all of the various kinds of  
4 resources that are available in the commonwealth. And  
5 every school and every school division have the  
6 directory along with resources and contact points and  
7 names of needed parties and collaborative parties who  
8 can provide information at critical times and also can  
9 provide the kind of resources, be they material and/or  
10 others to school divisions.

11 I was gratified in knowing it -- with the  
12 school divisions that replied to my polling survey that  
13 just about everyone had in place a functional  
14 counseling program that provided to parents and to  
15 youngsters ideas to help them to cope with the  
16 incidents that occurred on 9.11. I'm going to just  
17 very quickly share some of those ideas with you.

18 I might say in the interim I work  
19 specifically with an office that's funded through Title  
20 IV funds, through safe and drug-free funds, Federally  
21 that provide ancillary kinds of help to school  
22 divisions to deal with crises as they might arise. One  
23 knows that you can't educate until you have an  
24 environment that's educatable and that you have  
25 students who are safe and hopefully drug-free. We

1 receive millions of dollars through Federal government  
2 to provide these kinds of services, and we have each  
3 school division design exemplary programs that are  
4 proven with -- best practices that provide the kinds of  
5 services that children need to bring about change.

6 When I spoke with some of the school  
7 divisions, just to kind of give you a quick summary, of  
8 some of the -- (off mike) -- there are school divisions  
9 like the Newport News system, Virginia Beach, and  
10 others of that nature who have some excellent programs.

11 And at that particular junction when problems occurred  
12 on 9.11, we found that they went into their program of  
13 crisis management. As a result of that, they were able  
14 to deal with issues that arose in each one of the  
15 school divisions. In particular, one school division  
16 shared with me that on that particular day that they  
17 discreetly counseled Muslim children regarding their  
18 feelings as to what occurred on that particular day,  
19 and they had personnel to work specifically with all  
20 the children who were affected by this particular  
21 heinous crime. At that particular time also, they  
22 called together their crisis management team to deal  
23 with cultural emphasis, and they had counselors and  
24 members of the community to come in and allay fears  
25 with not only faculty members but also students

1 affected. One of the PTA groups were called upon, and  
2 they offered some designs to help to cope and manage  
3 the -- the cultural differences of the youngsters that  
4 were affected by that day.

5 I was informed that some of the imams in that  
6 particular area came in and offered help and guidance  
7 to youngsters in the systems, and this occurred in at  
8 least four or five school divisions and is still  
9 occurring. As a result of that, many of the PTAs had  
10 awareness days, international days, cultural  
11 differences days, days that would help to deal with the  
12 affected groups and allay fears and also promote social  
13 harmony and cultural differences and -- and  
14 understanding amongst cultures and various religions.

15 In the community where I serve and in my  
16 other hat I'm a pastor of a church in Farmville,  
17 Virginia. We had one might say a faith day where we  
18 brought all the members of the community together and  
19 we had people to, for about three or four hours,  
20 express their feelings and then have a sort of open  
21 religious ceremony. Anyone who wanted to participate  
22 could. That was sort of a -- a really clearing of the  
23 mind and very good therapy not only spiritually but  
24 there was a feeling in the community that they could  
25 cope with the situation. We helped to establish some

1 dialogue as a result of that. And every member of the  
2 community, whatever their religious group, had a chance  
3 to share their ideas and their feelings regarding

4 In other communities across the state we  
5 that there were sensitivity groups developed as a  
6 result of various cultures that were expressed in each  
7 school division. As one might know, in the northern  
8 Virginia area and also the Tidewater area, there are  
9 more discernible ethnic groups than -- place in the  
10 state. I think in Fairfax alone there are over 50 or  
11 60 defined ethnic groups. Down in the Tidewater area  
12 there are at least 50 or 60 -- defined ethnic groups.  
13 And in those groups there are various committees and  
14 cultural organizations that come to the schools from to  
15 time and plan special activities.

16 So, I think through the counseling we were  
17 able to avert many of the problems that could have  
18 occurred. In one county they designed what was called  
19 a Virginia Assessment Resiliency for Children, and that  
20 was designed to look at issues relative to how do kids  
21 feel, how are the emotions expressed, and what should  
22 we do -- what kinds of systems can we design that will  
23 help to avert or eliminate other kinds of situations  
24 that might come -- come about.

25 I belong personally to an organization called

1 the Virginia Association of Multicultural Educators,  
2 and we started that organization about eight years ago  
3 to look at cultural differences not only in the  
4 communities but also educationally. As a result of  
5 that group, we are going to have a conference this year  
6 and we're going to focus on not only issues of 9.11 but  
7 we're going to look at the groups that were affected  
8 greatly by the -- we hope to bring someone from the  
9 Sikh community and from the Muslim community and have  
10 some long-range dialogue to see if in fact in Virginia  
11 what we can do as educators and as the people who are  
12 concerned about the cultural differences -- of all of  
13 us to bring about change so that whatever happens  
14 educationally, politically, or in any venue, we as  
15 citizens can work together for the same justified  
16 cause.

17 There's much I could share, but my time is  
18 limited. But I just wanted to kind of focus on those  
19 educational concerns that school divisions are doing  
20 and are continuing to do.

21 MS. CARTER-TOD: Thank you, and you also  
22 present your information, your notes, and we will  
23 submit them as part of the transcripts as well if you  
24 wanted to write up and submit things later. And some  
25 other things may also come out during the question-and-

1 answer session. But we do appreciate it.

2 LT. CDR BOYKINS: Thank you, and good  
3 afternoon. On behalf of the Fairfax County Police  
4 Department, I wanted to welcome you to this district.  
5 I'm very pleased that you selected this location. My  
6 name is Brian Boykins, and I'm the assistant district  
7 commander.

8 I guess it was about two days ago, two or  
9 three days ago that I found out that this forum was  
10 here, and I -- I astutely recognized that the police  
11 department was not included. And at that point I  
12 called and wanted to be included on it. I share that  
13 with you to share kind of the -- the thought process  
14 and evolving change in our police department that we  
15 are just as much genuinely concerned with what's going  
16 on in our communities and making sure that it's truly  
17 quality and justice for all. When I called, I kind of  
18 shared some of the -- the proactive things that we were  
19 doing, and fortunately, it was agreed upon that I would  
20 have the opportunity to share this information which I  
21 think is very important and very critical.

22 And going back into the 1800s, Sir Walter  
23 Apil, who is kind of the father of community police and  
24 that venue, said that the community are the police and  
25 the police are the community, and that's very

1 the 11th we had established a Bias Incident Unit in  
2 which we recognized that we weren't getting good  
3 reporting to identify what the issues were as it  
4 related to bias or hate crimes. Our chief directed  
5 that we install a supervisor and Supervisor Mike  
6 Dittmer is here of our Bias Report and Incident Unit.  
7 And with that, we also needed to definitively decide  
8 what a bias crime was versus what a bias incident is,  
9 and we accomplished that.

10 But some proactive things that we did do was,  
11 one -- was the reporting. The other, we enlisted the  
12 support of the community. We identified some of our  
13 diverse communities and went to them before and after  
14 September the 11th to find out what the underlying  
15 concerns were. And with that -- and I think I bring  
16 kind of a unique perspective. Obviously, I'm black in  
17 America, and it seems like and I heard some of the  
18 panelists say previously that history does repeat  
19 itself. Sound like not too long ago that this whole  
20 scenario played out as it related to African Americans,  
21 and we're right back here with dealing with hatred.  
22 And hatred causes a lot of unfortunate things in our  
23 society.

24 I'm proud to be in a position that I have  
25 some influence over not allowing hate to manifest and

1 important. So, as it relates to September the 11th, we  
2 have been involved in a whole lot of changes, a whole  
3 lot of policy changes, and the way that we generally do  
4 business. Fortunately, I had the opportunity to hear  
5 some of the -- the other presenters and to hear and  
6 interact with many members of the panel and guests, and  
7 what I found very interested is that I -- I think we're  
8 very fortunate in that we truly have established  
9 communities. And there's a lot of different types of  
10 communities within -- within Fairfax County that some  
11 have been mentioning. I'm sure we'll go into it more.

12 But what I find very interesting that we  
13 celebrate a lot of successes within Fairfax County,  
14 unfortunately, that some of the Federal and maybe in  
15 this case some of the state agencies have not had. I  
16 think we've been on the cutting edge of keeping our  
17 communities together and making sure that they feel  
18 that they are included in the policies and how we go  
19 about resolving the problems that exist in the  
20 community.

21 But what I did -- what -- what I wanted to  
22 share with you this afternoon was some innovative  
23 things that I think that we've done that will -- will  
24 help further our goals, and again, that goal of  
25 community and justice for all. Even prior to September

1 to -- to fester into our communities. I'm in a  
2 position that I have the ability to make changes and to  
3 bring people to justice when they perpetrate that  
4 against any of communities. And I'm proud of the fact  
5 that I can go into a variety of communities and stand  
6 shoulder to shoulder and -- and denounce the fact that  
7 this type of behavior is unacceptable in our society  
8 and that we -- we're not going to tolerate it.

9 And again, under the direction and leadership  
10 of our chief, Tom Manger, he has set the precedent that  
11 we have to continue to follow. We have to continue to  
12 work together as a community, and I certainly believe  
13 that standing together shoulder to shoulder that we can  
14 overcome this.

15 One of the unique things, and this kind of --  
16 I think just prior to September the 11th the issues as  
17 it related to racial profiling was probably at its  
18 peak. And what I found interesting by a Gallup poll is  
19 that out of a multitude of police agencies that were  
20 polled as -- as it related to racial profiling where  
21 there are agencies engaged in racial profiling, by and  
22 large most of the chiefs that were interviewed and  
23 polled indicated that they didn't believe that their  
24 police department was engaged in that. What I found  
25 very ironic, and it's termed the dichotomy, even though

1 the police chief didn't believe that, a large segment  
2 of our population, multiethnic population, believed  
3 that this was in fact occurring. And I said all of  
4 that to say this, that people's perception is their  
5 reality and we learned to recognize that just as much  
6 as dealing with reality we have to deal with  
7 perception.

8 So, with all that said, again, I'm honored  
9 and privileged to have an opportunity to present to you  
10 the positive aspects of what we're out here doing. I  
11 look forward to the exchange of information. And  
12 again, I -- I'm really happy that you chose this  
13 location. I think Fairfax County is second to none.  
14 One of the things that we -- we like to share with  
15 people is Fairfax County is one of the safest counties  
16 in the United States with a population of above  
17 100,000. And a lot of that plays benefit to the  
18 citizens that we serve each and every day.

19 Unfortunately, since September the 11th we  
20 have had an increase in reporting of bias-related  
21 incidents. Some of that's due to our change in  
22 reporting procedures. Other, obviously, is more  
23 awareness. We need and want to know what's going on,  
24 your concerns, so that we can truly address it.

25 And I'm going to follow the protocol that Dr.

1 Anthony told me years ago. I'm going to be quiet and  
2 be prepared to answer questions. Thank you.

3 (Laughter)

4 MS. CARTER-TOD: Thank you very much.  
5 Penelope Gross has joined us, and we're going to ask  
6 that she'll go next. She is the Mason District  
7 supervisor for Fairfax County Board of Supervisors, and  
8 she'll be playing two roles. She'll be giving us an  
9 overview as well as representing her position as well.

10 SPEAKER: Does she get twice the time?

11 (Laughter)

12 MS. GROSS: There we go. I'm not used to  
13 using microphones in this building.

14 I want to welcome you, first of all, to the  
15 Mason District Governmental Center. We -- as -- as  
16 Brian said, we are very, very honored to have this  
17 location chosen by the Commission on Civil Rights to  
18 have this forum. I think it speaks very well of the  
19 reputation that Fairfax County has and also the fact  
20 that we have a nice facility that's available and it's  
21 free of charge, so that's -- that's -- that's one of  
22 the boons.

23 I am here wearing two hats today. I am a  
24 member of the Metropolitan Washington Council of  
25 Government's Board of Directors, and Michael Rogers,

1 who is the executive director, had been asked to  
2 participate today. He is giving the presentation that  
3 you are about to receive to the Potomac Conference  
4 which is meeting today also. I believe they are at the  
5 University of Maryland today. I can't remember exactly  
6 where they are. But the -- the Potomac Conference is a  
7 business-government-private sector group, very high-  
8 powered folks, who meet at least on an annual basis.  
9 It's actually been more frequently recently. And --  
10 and they discuss the issues of the Potomac region.

11 This framework of the regional emergency  
12 coordination plan for the National Capital Region deals  
13 more in the law enforcement and emergency response to  
14 issues in light of September 11th rather than some of  
15 the issues that you've been discussing here, but we  
16 thought it might be helpful. And I will -- if anybody  
17 wants to take these and pass them around. This is a --  
18 essentially, a Power Point presentation that is going  
19 to be done on paper instead.

20 On the morning of September 11th, first  
21 responders reached the Pentagon quickly and conducted a  
22 highly professional emergency operation. Much of this  
23 smooth response was due to mutual aid agreements that  
24 were originally facilitated by COG. These agreements  
25 allowed Arlington County to draw on the resources of

1 agencies in other jurisdictions to ensure a coordinated  
2 effort in meeting the overwhelming challenges that day.  
3 And the success of these agreements has demonstrated  
4 the clear importance of cooperation among different  
5 organizations across the region.

6 We deeply appreciate the strong efforts made  
7 at the Pentagon. Where we saw a gap on September 11th  
8 was away from the Pentagon. COG's member jurisdictions  
9 felt that increased coordination, which had helped  
10 those first responders, could also help other  
11 organizations throughout the national capital region.  
12 Because of this belief, COG began work several months  
13 ago to improve coordination and communication among  
14 Federal, state, local, and private sector organizations  
15 throughout the area, so this is not just a COG effort.  
16 Indeed, it is a truly regional effort, and we're  
17 pleased that businesses and non-profits around the area  
18 have been involved every step of the way.

19 The result of these months of hard work is  
20 the Regional Emergency Coordination Plan. Modeled  
21 after FEMA's Federal response plan and the District  
22 Columbia response plan, the Regional Emergency  
23 Coordination Plan represents an unprecedented effort at  
24 ensuring that we're the best prepared region we  
25 should -- we -- we can be should another major

1 emergency occur.

2 The centerpiece of this new plan is the  
3 Regional Incident Communication and Coordination  
4 System, which we call the RICCS. The RICCS is a 24-  
5 hour-a-day, seven-day-a-week capability that can put  
6 key decision-makers in touch with one another within 30  
7 minutes of a major emergency. It's a flexible tool  
8 that can be engaged to meet the specific challenges of  
9 a specific emergency, whether a blizzard, a  
10 transportation accident, or a terrorist attack. Now  
11 housed in the D.C. Emergency Management Agency, the  
12 RICCS will in the future have backup locations in  
13 Virginia and Maryland. We have tested this system; we  
14 know it works. We will continue to test it and improve  
15 upon it in the months to come and the years ahead.

16 We've included all types of stakeholders in  
17 the Regional Emergency Coordination Plan in order to be  
18 sure that all of our bases are covered. We've made  
19 preparations in six critical areas: transportation,  
20 help, public safety, solid waste and debris management,  
21 water and energy, and communications.

22 We've come a long way since September 11th  
23 and we're better prepared today to respond to a major  
24 emergency, but our work is far from over. The plan  
25 that was approved by the COG Board of Directors is now

1 out for review with the stakeholders and available on  
2 our Web site for public comment. And one of those  
3 stakeholders who's looking at it is the Federal  
4 government, so we are hopeful that the Federal  
5 government will agree with all of the things that we  
6 have in the plan.

7 We are planning continued training and  
8 evaluation through both tabletop and field exercises.  
9 We will identify areas where we need to improve the  
10 plan, and we will improve it. We hope to have a  
11 completed plan ready for the COG September board  
12 meeting.

13 COG is very pleased to have the -- the  
14 Washington Area Board of Trade as a close partner in  
15 the effort. I must tell you that although much of what  
16 we are dealing with in this particular plan deals with  
17 the technical aspects of responding to an emergency,  
18 the part that probably isn't included in the plan but  
19 with -- is a very important component is -- is the  
20 response that on the -- on the cultural and -- and  
21 ethnic part of it because so much of what we will be  
22 finding out in the future, especially in help and in  
23 how our public responders come to the aid of people, is  
24 that there are sensitivities that need to be -- people  
25 need to be made aware of, that our first responders

1 need to be aware of. That training goes on and on. It  
2 -- I don't believe it ever stops with either our police  
3 or our fire and rescue people.

4 Because, as we saw in -- in the aftermath of  
5 September 11th, there are issues that we may not  
6 necessarily recognize until we have a situation like we  
7 had on September 11th where members of the community  
8 who were the same members we've seen all along, we knew  
9 them, we lived in the -- we live in the same community.  
10 Suddenly, people were looking at them differently. And  
11 I think that the -- our first responders always have to  
12 keep that part in mind, remembering that there --  
13 that -- that everyone has the same -- needs to be  
14 approached with the same dignity, the same respect, the  
15 same consideration as always, not just as a result of  
16 something that has changed.

17 That is the information that Mr. Rogers would  
18 have brought to you in a probably much more eloquent  
19 way, but I was very pleased to -- to substitute for  
20 him.

21 The -- the part that I would really like to  
22 talk about now, wearing my own hat as Mason District  
23 supervisor on the Fairfax County Board of Supervisors,  
24 is what we have done right here in Mason District as a  
25 very, very local response, which started long before

1 September 11th, but on September 11th it truly was  
2 tested and we found out that it works.

3 In the spring of 1998 I decided with some  
4 friends that we needed to put together a discussion  
5 group to address some issues that were -- I had been  
6 very concerned about for a while. I was really quite  
7 concerned about the -- the tone and the attitude of  
8 both public and private discourse in my district.  
9 Mason District is almost entirely inside the Beltway.  
10 It has a very heavy immigrant population, and that has  
11 happened over the last 20 or 30 years. We have housing  
12 communities that were built in -- right after the war  
13 in the '40s. Houses for Heroes they were called, and  
14 some of the folks who moved into those houses in the  
15 late '40s are still here. They don't much like some of  
16 the changes that they've seen over the last 40 years or  
17 so, and we have a lot of people who've moved in more  
18 recently. As I like to say -- been here for decades  
19 and folks who came to our community yesterday. How do  
20 we all get along?

21 The frictions were apparent, and I was very  
22 concerned when people would get up in public meetings  
23 and talk about "those people" who were their neighbors.  
24 They live next door, and yet they could only see them  
25 as "those people."

1 And so, the -- the -- the -- the real  
2 catalyst for this was an issue that happened at a  
3 Fairfax County public school where to raise money for  
4 an athletic fund the school had hired -- or, the  
5 booster club had hired something called -- a wrestling  
6 traveling show called the Iron Sheikh. Well, many of  
7 my Muslim constituents were not very happy about that  
8 and -- because of -- of the connotations that it had.  
9 It was very stereotypical. The school was not in my  
10 district, but certainly, it -- it raised a lot of  
11 concerns.

12 So, as a result of that and the -- the issues  
13 that we've been hearing in the civic associations and  
14 in the community, we started a group to get around the  
15 table, all of us around the table. No real chair, no  
16 hierarchy, just everybody coming together to talk about  
17 community issues and -- and try and reach greater  
18 understanding. Out of that developed the group we now  
19 call Kaleidoscope. It is named after the toy that is  
20 constantly changing. Every time you move it a little  
21 bit, the colors, the shapes change. That's sort of  
22 what happens here in Mason District.

23 We meet now once a month. We've gone from a  
24 mailing list of about 60 people who were essentially  
25 handpicked by me because they were civic association

1 could we discuss these kinds of issues, that you  
2 wouldn't be able to do that anywhere else.

3 We don't have any dues. We don't have a  
4 homework. We don't have -- make great legislation.  
5 What we try to do is bring to the table the issues in  
6 the community, talk about them, figure out where the  
7 commonalities are -- and every time we look for our  
8 differences we find that our commonalities are so much  
9 greater than our differences -- and then work on  
10 establishing understanding in the community so that the  
11 folks who maybe weren't at Kaleidoscope, the next time  
12 that civic association member went to their civic  
13 association meeting and heard somebody talking in a  
14 derogatory fashion they could say, wait a second, have  
15 you considered it from their perspective? Have you  
16 considered this? Did you know this about their  
17 culture? Did you know this? I mean, all sorts of  
18 things that can happen on a person-to-person basis.

19 It was tested on September 11th. About 4:30  
20 in the afternoon five Muslim clerics came to my office  
21 right here. They were terrified. They said, you have  
22 to do something, you have to go on television, do  
23 something because we are terrified that our children  
24 and our wives are going to be harmed as a result of the  
25 attacks in New York and at the Pentagon. I was able

1 presidents, PTA people, some members of the faith  
2 community, just -- just a -- a -- a variety of folks  
3 that I thought might be interested. We now have a  
4 mailing list of over 200 people and a regular  
5 attendance at our meetings of 30 or more.

6 We have taken our show on the road. We've  
7 had two town meetings, one in October of 1998 and one  
8 in -- I think we had it in the spring of this year.  
9 No, I'm sorry. The fall of last year.

10 When we had our first town meeting, we were  
11 not sure what was going to happen. We announced the  
12 town meeting. It was at the library. And we had a  
13 standing room only crowd. The concern, of course, of  
14 my staff and myself was who are these people, because a  
15 lot of the folks who came we didn't know. Were they  
16 there to support the effort of Kaleidoscope or were  
17 they there to throw a lot of cold water on it and to  
18 raise questions that just really were not -- to raise  
19 attitudes that we -- that we wanted to try and take  
20 care of. We wanted to tamp down those kinds of  
21 attitudes and bring greater understanding.

22 At the end of the evening we had to almost  
23 forcibly make people leave because the library was  
24 closing. The -- the feeling after having had this  
25 rather large discussion was that only in Fairfax County

1 tell them -- try and -- and calm them down a bit and  
2 tell them about what we do in this country, which is  
3 quite often when we're faced with a -- an issue that is  
4 of massive proportions, we tend to turn to prayer  
5 service. And I suggested to them that they put  
6 together a prayer service at the mosque.

7 Now, DARO Hishra is one of the largest  
8 mosques in the region. It happens to be in my  
9 district. I also have an Afghani mosque in my  
10 district, so we have some very interesting dynamics  
11 going on here.

12 By noon the next day, the folks at DARO  
13 Hishra had put together a multicultural prayer service  
14 inviting the ministers from the churches across the  
15 street, members of the school board, members of the  
16 community. We all were able to come together and show  
17 some support for one another. I don't think that would  
18 have happened if we'd had to start those relationships  
19 the afternoon of September 11th, but because those  
20 relationships had been established well -- two -- two  
21 or more years earlier, we were able to deal with the  
22 issues on a friendly basis, on an acquaintance basis,  
23 rather than trying to establish an instant relationship  
24 and not knowing one another and how we were going to  
25 react.

1 The -- the -- the issues that we discuss at  
 2 Kaleidoscope keep coming back to us in -- in wonderful  
 3 ways because we are finding out that we are learning --  
 4 those of us who were born in this country are learning  
 5 about other cultures, and people who were not born in  
 6 this country are learning more about the American dream  
 7 and the American way of life. So, it's been a  
 8 wonderful balance for everybody.

9 Our meetings are open. We meet on the last  
 10 Wednesday of every month right here in the Mason  
 11 Governmental Center from 5:30 until 7, and I am always  
 12 happy to welcome new folks to our discussion. Thank  
 13 you very much.

14 MS. CARTER-TOD: Thank you. We'll now hear  
 15 from Ms. Freeman.

16 MS. FREEMAN: Good afternoon. I have to  
 17 start by telling you I debated whether or not I should  
 18 come. And you would say, well, what does that mean?  
 19 Well, first of all, let me start by saying we're the  
 20 Feds. We're the U.S. Department of Justice Community  
 21 Relations Service. And secondly, the other reason why  
 22 I debated whether -- whether I should come is because  
 23 D.C., Maryland, and Virginia has done a super job with  
 24 respect to dealing with the aftermath in 9.11. And I  
 25 thought to myself, well, what does CRS have to say

1 activities, I say we do riots, the Clan, Black  
 2 Panthers, police shootings, excessive use of force.  
 3 And you may say, well, what does that mean? And what  
 4 that means is, we are available 24-7. We can be  
 5 reached by calling the DOJ command center in  
 6 emergencies. When there's a riot, my folks wherever  
 7 it's happening in the United States are on the ground  
 8 in less than 24 hours. Our job is to calm the  
 9 community and as best we can restore order by bringing  
 10 the police, the locals, the Feds, the community, the  
 11 clergy, and everybody to -- to the table to work out  
 12 the differences.

13 We also work in schools and universities  
 14 where there is incidence of racial strife. I came here  
 15 from Damascus High School. I don't know if many of you  
 16 know. There was a racial incident there where a black  
 17 student was beat up a few weeks back by a group of  
 18 white students, and we -- we're in the process of doing  
 19 what we call a "SPIR," a Student Problem Identification  
 20 and Resolution program, there where we meet with the  
 21 students in small groups, move into a larger group, and  
 22 work through issues where they see they have problems -  
 23 - racial problems in their schools, and set up an  
 24 advisory committee for the principal to work through  
 25 those problems and come up with solutions.

1 because the folks that you've heard from today clearly  
 2 have outlined some of the many things that they've done  
 3 in terms of dealing with the aftermath.

4 What I'm going to do is I'm going to first  
 5 tell you a little bit about CRS, Community Relations  
 6 Service, a little tiny commercial, and then I'm going  
 7 to go into some of the more detailed things we've done  
 8 to assist D.C., Virginia, and Maryland, and then branch  
 9 into some of the best practices with respect to other  
 10 activities we've done as the Community Relations  
 11 Services throughout the entire United States.

12 Let me start by telling you, CRS was created  
 13 in 1964 as part of the Title X Civil Rights Act. And  
 14 our responsibility was to deal with racial strife  
 15 related to race, color, and national origin. In CRS,  
 16 we have 10 regional offices and four -- four field  
 17 offices. There are 52 employees and 35 in the field  
 18 who are trained mediators and conciliators. CRS is  
 19 free. It's confidential. We shy away from the media  
 20 and let the locals take the -- the camera and the  
 21 spotlight. We come we -- when we are asked by the  
 22 local Federal -- local, Federal, as well as the  
 23 community, the clergy, and sometimes we come on our own  
 24 when there's major racial strife.

25 We do -- when I talk about non-9.11

1 We also do other things whereby there's going  
 2 to be an announcement of a decision to the community  
 3 either not to prosecute a hate crime or to prosecute a  
 4 hate crime, whether or not not to take a plea in a --  
 5 in a hate crime or a murder case where racial animus is  
 6 alleged, and where we -- where the -- either the U.S.  
 7 attorney or a state attorney general or district  
 8 attorney has declined to prosecute a race-based  
 9 incident because there's not enough evidence or because  
 10 it's not a Federal civil rights violation and it's a  
 11 state violation. That's the commercial.

12 Now, let's talk about the overview of CRS  
 13 since September 11th. Since September 11th, the  
 14 Community Relations Service has undertaken an intensive  
 15 program of outreach and crisis response throughout the  
 16 nation and in local communities. We've worked on six  
 17 fronts. First, assuring state and local response to  
 18 hate incidents. We've urged local law enforcement,  
 19 public officials, clergies to make public statements  
 20 calling for moderation and restraint, caution against  
 21 misdirected behavior towards fellow citizens, and to  
 22 pledge vigorous prosecution of any attacks against  
 23 individual groups. The statements in the visit by the  
 24 president, the attorney general, the FBI director,  
 25 among others have helped immensely in this effort and

1 modeled for local communities what they could do for  
2 themselves. In turn, thousands of public and elected  
3 officials have joined in calls for fairness and justice  
4 and helped to create a climate of tolerance and  
5 respect. And certainly, as you've seen today, the  
6 group -- the local group today has done exactly that.

7 Secondly, we work in preventing and resolving  
8 community conflict and violence. CRS has responded  
9 directly to situations of community racial and ethnic  
10 conflict and violence. Whenever you read or hear about  
11 a situation that's happened with respect to Arabs,  
12 Muslims, Sikhs, in this community, CRS is there. We're  
13 in the community assessing the racial tensions, talking  
14 to the local police, talking to the FBI, the U.S.  
15 attorney, and the community, the clergy, bringing  
16 people together to talk to each other, open dialogues  
17 for folks to talk through what to do next, what has  
18 happened, how to calm the community.

19 We set up -- resolution teams to help state  
20 and local officials and groups to gauge and construct  
21 dialogues and to develop appropriate contingency plans  
22 and to find a common cause to work together towards.  
23 We've done massive outreach to Arab, Muslims, and Sikh  
24 organizations. CRS has contacted Arab American,  
25 Muslim, and Sikh organizations at both the national and

1 the prospect of escalating intergroup tensions. In  
2 many situations, there were situations where students  
3 stayed home after the 9.11 incidents. In some  
4 instances Islamic education centers canceled classes  
5 the week of September 11th. Our job was to go into  
6 those schools and universities to meet with those  
7 school superintendents and to give them advice as to  
8 how to go about entering into dialogues with the  
9 students, how you go about educating students with  
10 respect to the differences in culture, and how to do it  
11 in a way so that you don't run afoul of the  
12 Constitution or First Amendment rights or freedom of  
13 religion rights.

14 We also work in building Federal  
15 interdepartmental cooperation, and that means working  
16 together with those in the Department of Justice, in  
17 FEMA, in the EEOC, in the Small Business --  
18 Administration, INS, and the Department of  
19 Transportation in terms of some of the things that are  
20 happening at local airports when you go and you're  
21 searched, and sometimes some of you have been searched  
22 and sometimes some of you have been searched and said,  
23 you know, I think I've been profiled. We do work with  
24 the Department of Transportation in terms of training,  
25 giving them ideas and options for training for some of

1 local levels, and I see some of my friends today that  
2 we have worked very close with: Jason Erb and Susan  
3 Douglas from CAIR. We've also worked with -- with the  
4 local organizations and the local mosques.

5 We reassure them of the Department's concern  
6 and offer them assistance in resolving reported  
7 incidents and hate crimes. We do joint meetings with  
8 the -- the Civil Rights Division, the FBI, the INS, the  
9 Criminal Division, as well as the U.S. attorneys'  
10 offices throughout the country whereby we make these  
11 folks available to sit in rooms and talk with their  
12 local Muslim, Arab, and Sikh communities to share in a  
13 dialogue in terms of what their fears are, what has  
14 happened in the community, how we can go about doing --  
15 we also make police chiefs and others come to the  
16 table, mayors who are interested and don't know how to  
17 proceed. We set up the dialogue. We make it happen in  
18 terms of people being able to talk about what do we do  
19 next, how can we protect ourselves, what methods can we  
20 go about, what type of community resolution activities  
21 can we do, what type of preventative activities can we  
22 do. That's what CRS does.

23 We reduce school and campus tensions. We  
24 encourage school officials with significant Arab and  
25 Muslim populations to carefully monitor and prepare for

1 their screeners, baggage screeners, some of the folks  
2 from the airlines who are actually doing the searches  
3 and some of the folks who are doing some of the  
4 security work at the -- many airports throughout the  
5 country.

6 Okay. Let me just say here in this area it's  
7 kind of interesting, we've also done a program in  
8 Baltimore called "Connecting Cultures," which goes out  
9 and educates the local community and also educates the  
10 Federal community in terms of Arab, Muslim, and Sikh  
11 cultures. We've also done question-and-answer sessions  
12 at the Dulles mosque. And since I'm sort of running  
13 out of time here, we've also worked very closely in  
14 terms of interfaith alliance dialogues.

15 The other interesting thing that's happening  
16 that we see now that I just want to mention very  
17 briefly is that there is an influx of Palestinian and  
18 Israeli protest marches in Texas, D.C., and California,  
19 and we've been on the scene in terms of those. Our  
20 fear is that at some point in time when one -- when one  
21 is taking place, some group or some other  
22 counterprotester will come from the other side and that  
23 will blow up into some sort of scenario. So, we've  
24 worked very closely with the groups in terms of self-  
25 martialing, how to run a protest march -- believe it or

1 not, there are actually procedures on that -- and how  
2 to run a demonstration or rally.

3 MS. CARTER-TOD: Thank you. We've already --  
4 since we've already heard from our local and state  
5 government officials, and we thank you all for all of  
6 your -- your information on what's been going on and  
7 the initiatives that you all have begun. Next, we're  
8 going to hear from commentators. First, we'll hear  
9 from Susan Douglas, who is the principal researcher for  
10 the Counsel on Islamic Education. And then she will be  
11 followed by Jason Erb, who's a government relations  
12 officer on the Council of American Islamic Relations.

13 MS. DOUGLAS: Is it working, I guess?

14 CHAIRMAN PATRICK: It's on.

15 MS. DOUGLAS: It is. Okay. I'd like to  
16 thank the U.S. Commission on Civil Rights for inviting  
17 me here and giving me the opportunity to share my own  
18 experiences, which are mainly, other than being a  
19 Muslim U.S. citizen who experienced many of the things  
20 that happen on the street that have been mentioned here  
21 and more, I'd like to share with you my own experiences  
22 in the education field.

23 Also, thanks to Mr. Ashton who -- I'm going  
24 to give you a little bit of input, perhaps, on how  
25 things look from my end that the Department of

1 Education in Virginia was able to do.

2 In terms of examples of best practices, one  
3 of the themes that seems to be coming out here is  
4 things didn't start on September 11th. They have a  
5 background, they have a context. The context that I  
6 would like to put in place is illuminated in a study  
7 that I'm going to leave with you here that the Council  
8 on Islamic Education did with the First Amendment  
9 Center, which is what is the role of teaching about  
10 religion in the schools, and not only in the schools  
11 but in the state academic standards. This is the area  
12 that we work most actively in in dealing with how do  
13 students in the classroom learn about each other. In a  
14 very academic setting, what I like to call the mediated  
15 forum of the classroom, in which not only do students  
16 of various religions learn about each other's religion,  
17 but very often they learn about their own religion,  
18 which things that they might not have known.

19 And the framework in terms of best practices  
20 in which this takes place is something that's been  
21 promulgated by the co-publisher of this study, teaching  
22 about religion in national and state social studies  
23 standards. It is the "Guidelines for Teaching About  
24 Religion" put out and "Finding Common Ground" by the  
25 First Amendment Center, Charles Haines being the head

1 of that. I noticed you had a representative from the  
2 First Amendment Foundation. I don't know whether  
3 that's the same organization. This is the First  
4 Amendment Center.

5 And I am leaving a copy of "Finding Common  
6 Ground" with you and bookmarked it to the area in which  
7 it discusses what are the constitutional guidelines for  
8 teaching about religion. Our area at the Council on  
9 Islamic Education is to prepare materials that fit  
10 within those constitutional guidelines, the civic  
11 framework for teaching about religion, which is, I  
12 think, probably unique in the world. That we are able  
13 to sit down in public school classrooms and talk about  
14 each other's faiths in ways that do not seek a secular  
15 common denominator which would in fact negate all the  
16 faiths at once and offend practically everybody, but  
17 rather that we're able to -- to have a framework in  
18 which we can speak authentically to one another without  
19 making truth claims. That's the essence of the  
20 "Guidelines for Teaching About Religion."

21 And we've been doing ongoing research for  
22 about the past 10 years preparing materials. This one,  
23 for example, used in about 35 states, "Teaching About  
24 Islam and Muslims in the Public School Classroom." I'm  
25 also leaving a copy of that with you.

1 In terms of what happened locally -- and in  
2 fact, I might add one little thing onto that. It isn't  
3 just teaching about religions. The whole cultural mix,  
4 the area that you've been talking about here of getting  
5 to know each other, of learning about each other's  
6 cultures, of learning geography, of learning of the  
7 role which is not unimportant civically either, to learn  
8 about United States' role in the world. Where do we  
9 fit in? We need to teach students where we fit in into  
10 the world so that these people who will shape our  
11 policies, will be working in global corporations and so  
12 on, would have some understanding.

13 So, we have worked in the sense and arrived  
14 at this -- this notion that we do not want to just  
15 think about how do you teach better and more about  
16 Islam and Muslims but rather how can we all as global  
17 citizens learn what a global citizen needs to know  
18 nowadays and what are the curriculum frameworks that  
19 will allow that to best happen. So, in this -- in this  
20 sense we work in how is history taught, what are the  
21 best structures for teaching history -- that's one of  
22 the major themes in the -- in the study that I did --  
23 so that we all are on an even plane. It's not "them"  
24 and "us," it's human history. And that's really the  
25 framework we've come to work in. And we would say in

1 Islam and -- "Praise God." The structures are in place  
2 for doing that. We're working hard with educators, and  
3 I'll give you a little bit of an insight into what's  
4 happened because that has accelerated very much since  
5 9.11.

6 In terms of what I perceived of the immediate  
7 response from the schools, of course, the children were  
8 in schools the day that this happened. And I happened  
9 to be, in the following days after I crawled out from  
10 under the blanket. It was such a horrifying event --  
11 found out that within hours the state departments of  
12 education across the United States had put information  
13 helping schools to deal with the issue. In some cases  
14 I think it was up the very same afternoon. These,  
15 again, were things that must have had to do with the  
16 plan that you have in place for -- material was put up  
17 online from the National Association of School  
18 Psychologists which gave very simple guidelines not  
19 only for dealing with the crisis and with counseling  
20 for the crisis, but right up there along with it were  
21 informations on teaching about -- on teaching  
22 tolerance, avoiding hate.

23 And so, I think that you could say that the  
24 schools were really a frontline, taking from the  
25 schools into the living rooms and kitchens of the

1 members of various religious groups into their teacher  
2 training programs.

3 So, in that framework, I'd like to let you  
4 know what has been going on. One of the teacher  
5 training efforts that the Council on Islamic Education  
6 participates in and the First Amendment Center has done  
7 is a project in California called "Three Rs," Rights,  
8 Respect, and Responsibility. Again, as a framework for  
9 teacher training, of teacher modeling, the kind of  
10 dialogue you can have in the classroom on teaching  
11 about diversity, on teaching about each other's what --  
12 what we call deepest differences.

13 None of us who works in education has rested  
14 much in the last eight months, but this has been a very  
15 heartening and humbling and positive experience. On  
16 the 3rd of October I was invited to come down to the  
17 Department of Education to tape a program from the "DOE  
18 Hour" -- you're probably familiar with that -- which  
19 was specifically about the September 11th attacks.  
20 There were two teachers there and two members of the  
21 community, and we had the opportunity to present our  
22 points of view on it and to discuss what is and isn't,  
23 you know, Islamic in regard to that.

24 One other thing that the Council on Islamic  
25 Education did was to write a letter giving the

1 United States that mode of tolerance that they have  
2 been learning in the schools through the broader  
3 curriculum. I think it's fair to say, just to give you  
4 a brief conclusion from the study on teaching about  
5 religion, it has a place in every content-specific  
6 standard in every state in the social studies. It's  
7 there. And again, the framework for doing so is also  
8 there.

9 One of the things that, of course, is  
10 involved, not all of us have learned about all the  
11 world religions, and the least of those who have done  
12 so are teachers. We have -- received an education such  
13 as we have, but we have teachers put into the classroom  
14 who need to teach with what knowledge they have people  
15 probably, you know, of every religion in some classes.  
16 Twenty-five, 30 kids, a hundred kids to 150 that you  
17 might teach, you have to deal with that. You may not  
18 have good materials. Some of those materials may have  
19 misconceptions about those religion -- religious  
20 groups. Maybe of all the religious groups.

21 So, they have learned -- and I think, again,  
22 this is a frontline, is those teachers who do that, who  
23 engage the students, who bring in community members to  
24 the classroom, and these school systems have allowed  
25 that and have promoted that and have indeed invited

1 Council's position on the issue of, you know, is it  
2 Islamic, is it not, what is our civic, you know,  
3 responsibility as a Muslim organization in the U.S. to  
4 every school board member in the U.S. Thanks to the  
5 Internet we're able to get those -- that information.  
6 And it turned out that this letter in fact was quoted  
7 by Gene Carter, the head of the Association for  
8 Supervision and Curriculum Development, ASCD, right  
9 here also in our town. So, we were very grateful for  
10 that, and he put up that information in an article in  
11 "Education Week."

12 There has been such a flurry of workshops and  
13 presentations. I think I have done more in the last  
14 eight months than I have done in the previous five  
15 years. And these have included everything from the  
16 National Geographic Society to the Asian Society of New  
17 York, the other end of Asia being the Middle East.  
18 They often deal with Far East. I want to mention some  
19 things, like St. Louis Cooperative Resource Service, a  
20 teacher training center for the entire district in the  
21 area. Social -- social studies citywide meeting by  
22 board of education in the City of New York. I've lived  
23 17 years in Virginia and had never gone to New York  
24 City. I've been six times since -- since September  
25 11th.

1 Another thing I'd like to mention in terms  
2 particularly of Fairfax County is the very proactive  
3 approach, first of all, that has been taken in terms of  
4 the content that is there in place. We had some  
5 difficulty with some somewhat biased language in the  
6 original standards of learning. As Mr. Ashton would  
7 know, we have just gone through a revision of the  
8 social studies standards, and I was able to participate  
9 through the offices of Mike Wildison of Fairfax County  
10 Public Schools in that task force where we applied the  
11 "Guidelines for Teaching About Religion" on that  
12 language and reached complete consensus in our  
13 committee not only on doing that but on putting a  
14 global framework for teaching about the history of all  
15 humanity in place in the new standards. You can  
16 compare the old and the new at your leisure.

17 President -- excuse me, Superintendent Donald  
18 -- Daniel Dominich had allowed a committee to exist  
19 that Sharifa Alkhateeb, whom you've heard earlier in  
20 the day, participated in of a number of community  
21 members, educators, and community leaders called the  
22 Arab and Muslim Task Force. And they had a number of  
23 meetings over the course of the fall to try to see and  
24 measure the response in the schools. This also  
25 involved -- involved safe -- Muslim of various --

1 various groups. And they held a meeting in particular  
2 on December 18th which involved a very big presentation  
3 by all the various offices in Fairfax County Public  
4 Schools as to what had they done to -- what were they  
5 doing in an ongoing way to divert any kind of unwelcome  
6 attentions and feelings of hate and things where  
7 counseling situations were in place. And in addition  
8 to that, they did an entire survey on what were --  
9 what's the role of Islam and -- and -- and Muslims in  
10 the curriculum.

11 So, following that were a number of  
12 presentations with the heads of department, middle  
13 school, elementary, and -- and high school that I in  
14 fact did.

15 So, I think that, in conclusion, which I will  
16 do in 20 seconds or so, in terms of best practices,  
17 what we need to do is continue to do more of the same.  
18 I think that the United States society at the level of  
19 people, at the level of institutions has probably been  
20 remarkable in history for its response to such an  
21 overwhelming event, particularly when we know that this  
22 was pointed at certain groups. We have the structures  
23 in place. If we continue to do more of the same -- if  
24 we continue the -- particularly to support the  
25 education efforts that create that understanding among

1 the next generation and indeed on a daily basis carry  
2 that back into the kitchens and living rooms of  
3 America, we'll be doing very well, and we will be a  
4 unique beacon in the world. Thank you very much.

5 MS. CARTER-TOD: Mr. Erb?

6 MR. ERB: I also thank you for inviting us to  
7 -- to participate in this -- in this forum. I think  
8 this is a great opportunity for -- for the community  
9 and -- and for people involved in the post-September  
10 11th activities to kind of share experiences.

11 It was interesting to hear the presentations  
12 of the -- the different officials on how they responded  
13 to September 11th as someone who kind of saw it from  
14 the other side, and I would have to say I recognize a  
15 lot of what they talk about in terms of how they  
16 responded, especially the police force and -- and I can  
17 comment, I guess as -- as somebody who has more of a  
18 national vision also. My -- in my own role, I don't  
19 just deal with the D.C. area, I work in the national  
20 realm. And at the time of September 11th, I was  
21 actually living in Philadelphia and again recognize  
22 from my experience there much of what these officials  
23 have said here today.

24 I think that the -- that the -- I am going to  
25 comment on -- on what was said here today and -- and

1 try to, I guess, bring in some of the other experiences  
2 that I'm aware of from across the country of how  
3 different localities responded to September 11th and --  
4 and the kind of backlash that -- that -- that came  
5 against the -- the Muslim, Arab, and South -- South  
6 Asian communities. I think that the -- the -- the  
7 initial local response was very good, for the most  
8 part, if -- if I can generalize around the country. I  
9 know that a lot of mosques were -- a lot of Muslims  
10 were very heartened to see police forces show up at the  
11 mosque to engage in, you know, 24-hour, around-the-  
12 clock protection of the mosques to try to make sure  
13 that hate crimes were not committed or, you know,  
14 vandalism wasn't committed against the -- the -- the  
15 different properties.

16 I know that a lot of people were also very  
17 heartened by the outreach of local officials. People  
18 did make, I think, the proper statements about not  
19 lashing out at your neighbors and the -- the numerous  
20 prayer vigils and -- and other public events, I think,  
21 were extremely well-received for a community that maybe  
22 has oftentimes been a bit isolated from the -- from the  
23 wider community around them. This is -- is a kind of  
24 self-imposed thing I think where many -- especially, at  
25 least, on the immigrant side, for the immigrants who

1 are Muslims in the country. Many immigrants come in,  
2 they meld into a immigrant community, they might not  
3 have a lot of experience with the -- with the larger  
4 non-Muslim community around them or non-immigrant  
5 community around them. And so, in times of crisis they  
6 may find themselves with a lack of contact with local  
7 officials. And I'm glad to see that that was not  
8 necessarily the case here in -- in -- in Virginia and  
9 also in Maryland. And I'm not surprised, given the --  
10 the size of the communities in these areas.

11 I think that one of the things that Susan  
12 said was -- was very pertinent, and that is that --  
13 that -- that relations in the Muslim community with the  
14 non-Muslims in the United States didn't begin with  
15 September 11th and they're not ending now that we've  
16 responded. I think that it's important that we -- and  
17 I speak as a Muslim also, but I think it's important  
18 that -- that we not rest on our laurels, kind of, as to  
19 what happened after September 11th and how the  
20 community has responded and the kind of mutual support  
21 that -- that both Muslim and non-Muslim communities  
22 wanted -- were able to express to each other.

23 There is still a continuing stream of -- of  
24 hate language sometimes that comes out on -- on local  
25 radio, for example, local radio talk shows. There are

1 the works to -- to try to make sure that that doesn't  
2 happen.

3 Nationwide, I mean, again, I think that the  
4 -- that the general local response was good, but there  
5 were -- there were cases where the local response was  
6 not appropriate. I know -- I think it was in Kentucky  
7 there was one case where a local police force went in  
8 and raided a -- a low-income housing project and  
9 rounded up 70 Mauritanian immigrants who had been  
10 living there for some time and just basically went and  
11 rounded them up and took them down and detained them  
12 for a couple of days or a week until they determined  
13 that -- that there was not a particular risk there.

14 There were -- there are now directives or, I  
15 guess, policies that might be coming out of the Federal  
16 government, for example, in which they're talking about  
17 using local law enforcement to -- to help with the  
18 enforcement of Immigration and Naturalization Service  
19 policies, and I know that -- that law enforcement knows  
20 that the -- that the greatest tool that they have is  
21 the public trust. And when people are kind of stopped  
22 for -- for a traffic violation and they are then asked  
23 about their immigration status, this is something that  
24 does not build trust with the community. It really  
25 does hurt the community and their attitudes toward

1 a number of commentators who still make statements  
2 about Muslims and Islam that show their -- their lack  
3 of knowledge of -- of these topics. And -- and I think  
4 as we kind of get further away from September 11th we  
5 find sometimes these are -- are challenged less than  
6 they were in the immediate aftermath. So, I hope that  
7 this is something that -- that -- that the community  
8 remains kind of vigilant about and understands that  
9 there is -- you know, again, it's not the end of the  
10 story because this crisis has ended or because this --  
11 because we're further removed from this crisis.

12 For the Muslim community, and again I -- I  
13 think I speak mostly for the -- for the immigrant  
14 community but not entirely, but as there are continuing  
15 crises around the world and U.S. involvement in some of  
16 these crises, we may -- we will probably see again kind  
17 of spikes in different, you know, backlash --  
18 backlashes against the Muslim community, degrees of --  
19 of language that leaves the community feeling, again,  
20 kind of isolated and alienated from the -- from the  
21 larger society. And I think it's important, again, for  
22 both Muslims and non-Muslims in the U.S. to try to work  
23 to protect against that. And again, I -- I heard a  
24 number of projects here that -- that, at least in  
25 Fairfax and Montgomery Counties, that are kind of in

1 public officials.

2 For a lot of immigrants, the -- the idea that  
3 you would go and talk to a public official is something  
4 that's -- that's -- that they don't have experience  
5 with. I know that immediately -- immediately after  
6 September 11th there were -- you know, there -- a lot  
7 of children in schools were being called names and  
8 being attacked and were hearing comments from their  
9 teachers that they felt were inappropriate, and one of  
10 the things that CAIR tried to do is to get people to go  
11 to their local schools, to their principals, and raise  
12 their concerns about these issues with them. Well, for  
13 a lot of immigrants, this is something that you just  
14 don't do. You don't go and talk to the teacher, much  
15 less the principal. And so, for them it was very  
16 difficult to try to muster up the -- the courage to go  
17 and speak with these officials when that's, again,  
18 culturally something that was just very -- very far  
19 away from their experience and their understanding of  
20 what was proper.

21 So, I think that, again, for -- for -- for  
22 local officials to -- to maintain that open door, to  
23 maintain that -- that accessibility certainly in -- in  
24 -- in the short term would -- would certainly be, I  
25 think, a welcome and important thing.

1 I think to try to -- to -- to close -- I  
 2 don't want to take up too much time. There's not much  
 3 time for questions. I would just like to say that,  
 4 again, I think that the -- that the -- that September  
 5 11th has -- has kind of provided an opportunity for  
 6 both the Muslim community and the non-Muslim community  
 7 in the United States to -- to work together, to develop  
 8 greater understanding of the other, and to -- to  
 9 recognize some of the -- some of the bigotry and  
 10 stereotypes that do exist on both sides. And I think  
 11 that that's been a positive thing. I would just hope  
 12 that, again, these -- these efforts do not stop, that  
 13 they do continue because there are still lingering  
 14 problems, and I think that the -- that the -- that the  
 15 possibility of a -- not a recurrence of -- of September  
 16 11th but other events will raise tensions again within  
 17 the community. And I don't think that we've seen the  
 18 end of -- of -- of this kind of process of -- of event  
 19 and community reaction and -- and how that affects  
 20 people. And so, again, I hope that people will  
 21 maintain engaged in -- in activities that they've  
 22 undertaken since September 11th.

23 MS. CARTER-TOD: I -- we do want to thank the  
 24 panelists as well as the commentators again, and what  
 25 we'll do now is open the session up for question and

1 answers, and I will turn it over to Richard Patrick.  
 2 CHAIRMAN PATRICK: Again, I'd like to add my  
 3 thanks to the panel. And this is the opportunity for  
 4 both members of the committee and the public to ask  
 5 questions. We do ask that your questions be brief, and  
 6 if you so desire, indicate to which panel member you  
 7 would like to have your question answered.

8 I -- I first have one question from James  
 9 Hingeley, who is a member of the Virginia Committee,  
 10 but he had to leave. He's from Charlottesville. And  
 11 this probably goes to our representative from the  
 12 Department of Justice, Ms. Freeman. This is a  
 13 question. This morning we heard from representatives  
 14 of affected communities about how important it is for  
 15 top leaders in Federal government to speak out against  
 16 hate crimes and commit to aggressive law enforcement  
 17 efforts to bring wrongdoers to justice. Can you tell  
 18 us what specific instances you are aware of where state  
 19 and local government leaders are speaking out strongly  
 20 against hate crimes in the metropolitan Washington  
 21 area. And any of the panelists like to respond?

22 MS. FREEMAN: See, that's how it works. They  
 23 ask the Feds to rat out the locals.

24 (Laughter)

25 MS. FREEMAN: I mean, I can address in terms

1 of the attorney general, the FBI director. The  
 2 attorney general did a public service announcement, and  
 3 we also sent out to all of our U.S. attorneys  
 4 throughout the country directives to get out in the  
 5 community, get on television, to go to the communities,  
 6 and when the press comes, to make those statements  
 7 condemning hate crimes, to make those statements  
 8 encouraging the community to alert the locals as well  
 9 as the Feds in terms of what was going on.

10 In the Virginia-Maryland-D.C. communities,  
 11 that's what the Fed directive was to the U.S. attorneys  
 12 where we have that kind of power to give directives.  
 13 I'm going to go ahead and maybe let the other folks  
 14 here talk to their particular jurisdictions.

15 LT. CDR BOYKINS: Well -- well, again, we did  
 16 exactly that shortly after September the 11th. The  
 17 leadership of our county government recognized the  
 18 importance of the citizens who were potentially  
 19 affected to hear this from them. And what we did in  
 20 our government center, our chief, along with other  
 21 members of the Board of Supervisors and, importantly,  
 22 the people who would most be effectively against, stood  
 23 shoulder to shoulder. We put out clear, concise  
 24 messages as to how we felt about it and that people who  
 25 violated would actually be dealt with and be prosecuted

1 to the fullest extent of the law both locally and  
 2 potentially federally.

3 So, that is an important aspect, prevention  
 4 is, to make sure that the community at large knows,  
 5 number one, that that type of behavior will not be  
 6 tolerated and those people who engage in that type of  
 7 behavior will have to face the consequences.

8 CHAIRMAN PATRICK: I see Cynthia in the front  
 9 row.

10 MS. GRAAE: I have a question for Ms.  
 11 Freeman. We've heard -- we've heard over the past --

12 CHAIRMAN PATRICK: Cynthia, the mike --  
 13 thanks.

14 (Pause)

15 MS. GRAAE: We've heard consistently over the  
 16 past two days that -- about the most traumatic and  
 17 destructive, destroying event for the Muslim and Arabic  
 18 community, both in northern Virginia and across the  
 19 country were the raids in March on Arabic homes,  
 20 mosques, and centers of learning. Did the CRS have any  
 21 role in bringing healing after that? Is there a role  
 22 for the CRS? And if so, what are your remedies and  
 23 what have you done?

24 MS. FREEMAN: Obviously, with respect to the  
 25 raids, that's being done by the law enforcement side of

1 the Department of Justice. CRS has actually, with  
2 respect to the raids, stayed away from that issue, to  
3 be honest with you. We did have some meetings with  
4 some of the national groups with respect to that, but  
5 we have not thereafter engaged in any activity with the  
6 community.

7 (Pause)

8 MR. KAPLAN: Peter Kaplan from the D.C.  
9 Advisory Committee. Question for -- actually, for both  
10 the commentators and the panelists with regard to how  
11 important you believe it is and your -- in your various  
12 jurisdictions and the activities you do to increase the  
13 presence of Arabs and Muslims on -- in your work force,  
14 what impact it has, and the success of the efforts you  
15 described if you don't have the kind of representation  
16 you'd like to have among your work force and carrying  
17 out the responsibilities you've described.

18 MS. GROSS: I'd be happy to take a stab at  
19 that. If you look at Fairfax County government, we  
20 have quite a diverse employee base. One of the things  
21 we probably don't have and we -- it is still a  
22 challenge, and I think Brian would agree, is in our  
23 public safety. It is difficult to recruit people into  
24 the police department and fire and rescue department  
25 from a number of immigrant groups. We would like to

1 have more, but in some cases it's cultural and other  
2 cases it's just a matter of I think we will build that  
3 eventually.

4 I -- on a personal level, in Fairfax County  
5 we have a lot of boards, authorities, and commissions  
6 that are volunteer citizen organizations that advise  
7 the Board of Supervisors. I was very pleased to be the  
8 person who appointed the first Arab American woman to  
9 the Human Rights Commission, and we are also -- I  
10 believe we have an Arab woman on the Women's  
11 Commission, but I'm not absolutely sure. I think we  
12 may have had. And so, it is incumbent upon members of  
13 the Board of Supervisors who are the appointing  
14 authorities to make sure that we have the citizen  
15 component of it also.

16 In Fairfax I think we've done a pretty good  
17 job of making sure that our county employee force  
18 reflects the face of Fairfax County. We can always do  
19 better.

20 CHAIRMAN PATRICK: Charles Moose. I'd like  
21 to hear Chief Moose's response to that.

22 POLICE CHIEF MOOSE: Yes. It's a excellent  
23 question and one that I think we struggle with in law  
24 enforcement. I won't even go to the broader public  
25 safety piece, but we struggle with it immensely. And

1 so, you continue to try to do different strategies, but  
2 I guess I would also like to say it's incumbent upon  
3 the leadership in government to recognize that whoever  
4 is in a job, they have a responsibility to be  
5 sensitive, to be trained, to be aware, and -- and be  
6 responsive to all of the different groups that we  
7 provide services to.

8 So, it's really kind of a dual challenge.

9 One, to -- to bring increased diversity to the work  
10 force, but I think at this point struggling with that,  
11 it's more important that we then spend time to make  
12 sure that the work force that we have is knowledgeable,  
13 hear from people like Ms. Douglas. I was very  
14 impressed with some of the things that you covered.  
15 I -- I wasn't aware of all those various educational  
16 pieces existing, so it's those kind of things that I  
17 think we need to bring to all of the work force. I  
18 guess I would like to believe deep in my heart that  
19 myself as a police officer can respond to any  
20 individual, gender, race, culture, ethnic background,  
21 and be fair, that I wouldn't just be fair to African  
22 Americans because I am African American.

23 But -- but it is a challenge that we  
24 continually face and -- and come to forums like this  
25 looking for, hopefully, strategies and -- and other

1 solutions. But there are certain groups that to date  
2 haven't generated, from my perspective, a lot of  
3 interest in some of the public safety jobs. Maybe they  
4 don't see enough people that look like them, that --  
5 that think like them, so they don't feel welcome. And  
6 I know we're obligated to make them feel welcome, but  
7 the -- the numbers are pitiful.

8 CHAIRMAN PATRICK: Steve?

9 POLICE CHIEF MOOSE: Could I -- before the  
10 next question, could I ask Ms. Freeman a question? Is  
11 that allowed?

12 CHAIRMAN PATRICK: Oh -- oh, absolutely.  
13 We -- we love that.

14 POLICE CHIEF MOOSE: I have a great deal of  
15 respect for Community Relations Service, and I know  
16 that when Mr. Bush initially took office there was a  
17 lot of talk that the funding of CRS was very  
18 questionable. And I was wondering if there's been any  
19 change in the tone, Ms. Freeman, for support to your  
20 office since September 11th and all the work that  
21 you've done on the ground in various communities ab  
22 and beyond just dealing with riots and police  
23 shootings?

24 MS. FREEMAN: Okay.

25 (Laughter)

1 MS. FREEMAN: Well, let me just say this.  
2 With respect to the attorney general, I've heard  
3 nothing but great things from him with respect to the  
4 work that my conciliators and mediators do. And in  
5 addition, with respect to the Arab, Muslim, and Sikh  
6 communities, I've heard nothing but good things with  
7 respect to what we do.

8 I will go ahead and recognize that we're  
9 really tiny, and I will recognize that we were  
10 downsized during the Clinton administration -- I'll  
11 just be real honest about that -- from a hundred people  
12 to half, less than half, down to 41. There's --  
13 there's been, to be honest, no additional talk of  
14 increasing us, but there's been talk of -- of positive  
15 things about the work that we do and how important we  
16 are with respect to all the things that have happened  
17 after 9.11.

18 POLICE CHIEF MOOSE: Ms. Freeman, thank you.  
19 And -- and I -- I just want, hopefully, for that to be  
20 on the record. I would hope that if, out of all of the  
21 things that come out of sessions like this, that  
22 somehow the message go forth that those have been some  
23 very questionable decisions and we really need CRS to  
24 go in the other direction. America still has issues  
25 with about -- with regards to diversity, and we need

1 people in the affected communities to come forward and  
2 be sources of information in the future if they fear  
3 they're going to have an immigration or some other kind  
4 of offense pinned on them if they do come forward? And  
5 I wonder how you, as law enforcement officers, feel  
6 about that?

7 LT. CDR BOYKINS: Well, I'll -- I'll take a  
8 stab at this. I -- I probably should defer to the  
9 higher --

10 POLICE CHIEF MOOSE: Well, I'll be happy to.  
11 I've already got my notes.

12 (Laughter)

13 POLICE CHIEF MOOSE: But it's your home  
14 station. But let me -- let me -- if you don't mind.

15 I am very concerned, sir, with the movement  
16 by the Department of Justice, and -- and I think that  
17 we all should be. You know, it -- it is a -- a very  
18 delicate balance because, certainly, when the Federal  
19 Bureau of Investigation asks local law enforcement to  
20 go out with them to interview people that they had on a  
21 specific list, we did join them. But I think it was  
22 under the -- the -- the context that they had specific  
23 questions about possible crimes and they needed  
24 assistance. But as we continue to expand that, as we  
25 look at how quickly the Patriot Act was passed, how

1 help.

2 CHAIRMAN PATRICK: Thanks, Chief.

3 MR. KURZMAN: Chief Moose and Commander  
4 Boykins, a very sensitive and difficult issue has --  
5 has come up continuing in the last two days here before  
6 us that you're the first and the only law enforcement  
7 personnel that we've had a chance to ask this of. And  
8 so I'm going to -- I know this may not be something you  
9 can answer definitively.

10 (Laughter)

11 POLICE CHIEF MOOSE: I'm -- I'm breaking my  
12 notes out --

13 (Laughter)

14 MR. KURZMAN: No, I'm sure you can anticipate  
15 what's coming. A lot of the affected communities have  
16 expressed to us great fear as a result of the law  
17 enforcement efforts, particularly with regard to  
18 traffic stops -- it's been mentioned here this  
19 afternoon -- that lead to immigration cases. One of  
20 the great triumphs of -- we're hoping for law  
21 enforcement is that all the law enforcement agencies  
22 will be able to get themselves together so that some of  
23 the things that happened on 9.11 might have been  
24 prevented had they been together before 9.11. And yet,  
25 we're seeing the other side of that. How can we get

1 little people in America seem to know about the  
2 contents of the Patriot Act, and now this movement to  
3 ask law enforcement to join in the -- the actual -- you  
4 know, doing immigration work, doing immigration and  
5 naturalization, you know, enforcing those laws, we're  
6 not trained. We've spent years working with  
7 communities doing community policing, trying to build  
8 trust, trying to build unity. We clearly still have  
9 our issues but we are certainly a lot better today than  
10 we were yesterday, 10 years ago, five years ago. And  
11 to me, this is just, you know, a -- a hand grenade to  
12 go and destroy all of that trust, asking us to do  
13 immigration work.

14 So, I think it is clearly the wrong  
15 direction, but again, it's coming from the top down.  
16 At some point I'm sitting there going, I took the oath  
17 to enforce the law. I guess if the attorney general,  
18 the State of Maryland, the Maryland attorney general,  
19 if the law changes, then, you know, my oath is to  
20 enforce the law. So then, all of a sudden, my opinion  
21 becomes, I guess, somewhat secondary, much like no one  
22 asked my opinion about abortion but I am obligated to  
23 keep abortion clinics safe. It doesn't really matter  
24 what I feel about that. My job is to keep it safe  
25 because the Constitution says it is legal.

1 So, now we are potentially moving toward an  
2 area where we will say it is the job of local law  
3 enforcement to enforce immigration and naturalization  
4 laws, and I think that is very much the wrong thing to  
5 do, will put us in a precarious position, and will  
6 force someone like myself to really sit down and give  
7 some thought to maybe 27 years of law enforcement is  
8 enough. I don't -- I don't want to do that kind of  
9 work. I think it is -- it is -- will destroy all the  
10 progress that we've made. And so, we should all be  
11 very concerned, but again, sometimes it comes down to  
12 it's not my opinion, it has to be the opinion of all of  
13 us. How do we get that message all the way up the food  
14 chain so that it is not imposed on us.

15 But such a switch. Department of Justice  
16 that's concerned about pattern and practice, racial  
17 profiling. Now we have a Department of Justice that's  
18 wanting law enforcement -- local law enforcement to do  
19 immigration law. I think it's the wrong way to go.

20 LT. CDR BOYKINS: Well, the chief said it so  
21 well I --

22 (Laughter)

23 LT. CDR BOYKINS: -- I don't know what more I  
24 could probably add. However, the -- the only thing  
25 that I will add is that we in law enforcement -- and

1 it's -- it's taken a while coming -- recognize that  
2 trust is the foundation for what we have to build on.  
3 And any efforts that would erode that -- and let me  
4 just give you a short example.

5 We deal with issues related to day laborers  
6 in which contractors weren't paying the day laborers  
7 and then they would try to evoke the fact, well, you're  
8 an illegal alien, therefore you really don't have any  
9 right to privileges and benefits. So, we basically  
10 made the commitment we're not dealing with that issue,  
11 we're going to deal with the issue at hand. And that  
12 -- that's basically you're using people. And  
13 hopefully, as the chief just indicated, we won't be put  
14 in that position that we have to choose. However, as --  
15 as he indicated, sometimes we're not given choices  
16 and are mandated. But again, that's where commissions  
17 such as this has to be our voice so that we're not in --  
18 -- between a rock and a hard place.

19 POLICE CHIEF MOOSE: But I would --

20 LT. CDR BOYKINS: It --

21 POLICE CHIEF MOOSE: -- say that the -- the --  
22 -- the law enforcement voice is -- is divided. You  
23 know, I'm sure many of you have already read some  
24 leadership in law enforcement has said that they  
25 certainly endorse this concept. And so -- so, when you

1 say you've only talked to the two of us, remember that  
2 you've only talked to the two of us, that there --

3 (Laughter)

4 POLICE CHIEF MOOSE: -- there are others out  
5 there that feel differently. And so, don't -- don't  
6 walk away, you know, feeling at ease. I think that --

7 (Laughter)

8 POLICE CHIEF MOOSE: -- there's going to have  
9 to be a lot of work done.

10 MS. GROSS: As a local policymaker and sort  
11 of a titular boss to public safety officials, I think  
12 that I -- from -- from my perspective, watching what's  
13 happened in Fairfax County, the police are almost in a  
14 no one -- no-win situation because there are the folks  
15 who really don't want them to ask questions and then  
16 there are the folks who come to every Police Advisory  
17 Committee meeting and every civic association meeting  
18 who want to know why aren't the police enforcing the  
19 INS rules. And so, we've got this -- this sort of  
20 imbalance in the community as to just exactly what are  
21 they supposed to do.

22 I really find that -- that -- that they're --  
23 they're walking a fine line, trying to make sure that  
24 they are listening to all parts of the community. But  
25 it really is a no-win situation, and for those of us

1 who are in -- who are trying to explain the policies to  
2 the constituents, they -- somebody is always unhappy.  
3 And -- and -- and these are the folks who bear the  
4 brunt of it.

5 MS. FREEMAN: Can -- can I just get in on  
6 this, because, obviously, we're talking about the  
7 Department of Justice. Let me start by saying I don't  
8 know if you all know that when this activity of the INS  
9 work goes into place, there has to be a memorandum of  
10 agreement entered into with respect to the local police  
11 force that's going to do that. And I don't know if  
12 that makes it any better or worse, depending on what  
13 side you're on, but that there is a process whereby  
14 people are trained. It's not going to be just foisted  
15 on people to do. And that -- there's only -- that  
16 activity has only happened, to my knowledge, I believe,  
17 in Colorado. It hasn't happened everywhere, so that's  
18 the first thing.

19 The second thing, I think the attorney  
20 general has recognized that INS, and I think all of you  
21 probably have figured it out, can't do the work. I  
22 mean, I think everybody knows, and I'll be real blunt  
23 about it, that Mohammed Atta got his paperwork through  
24 the INS a few days -- maybe a few months ago. His  
25 paperwork actually came through -- through for him to

1 continue -- I see some people shaking their heads --  
 2 continue staying here in the United States. So, it's  
 3 very clear that INS can't do all the work and is not  
 4 equipped to meet the challenge. I think we all  
 5 recognize that it's a new day. It's a very different  
 6 day from the other administration where -- whereby what  
 7 we are trying to protect ourselves and our communities  
 8 from.

9 I also need to say that the Community  
 10 Relations Service has been telling people that when  
 11 you're -- we've been asked in -- in various communities  
 12 -- settings, the local police does a car stop and they  
 13 ask for your green card. And we've been telling them  
 14 there's no requirement to show a green card. License  
 15 and registrations. And that's where you -- we've had  
 16 our former police officers who are with us tell  
 17 communities that's it, and if the police officer wants  
 18 to continue on that, there's nothing more until someone  
 19 says, you know, there's going to be something more  
 20 where you've got to drive to your house and show your  
 21 green card, license, and registration.

22 And the last thing is -- and I guess I sort  
 23 of want to say this in the Washington-Virginia-D.C. --  
 24 the D.C. area, which is kind of interesting. Here, to  
 25 be honest with you, we're inside the Beltway and we

1 have a different view. Outside the Beltway, believe it  
 2 or not, Muslim communities are saying, go get those bad  
 3 guys, do what it takes. So, I'm not saying that for --  
 4 for all communities, but it's -- it's -- it may be  
 5 surprising for you to hear that because I've heard  
 6 that. I've been standing there and -- and thinking to  
 7 myself, what? But that's what's been said in some of  
 8 the communities such as we've had, go get them and  
 9 we'll do whatever we can to help you get them.

10 So, I think the reality that we're faced with  
 11 is it's a new day, it's a different day, it's a scary  
 12 day, and trying to balance with respect to how do we go  
 13 about doing this so that what happened with respect to  
 14 9.11 never happens again. I think the way you go about  
 15 doing that, obviously, is to have forums like this, is  
 16 to have community meetings like this to begin the  
 17 dialogue and tell us are we getting it right, is there  
 18 a better way to do it, is there something else we  
 19 should be thinking about when we go about putting these  
 20 policies in place, could you tell us.

21 CHAIRMAN PATRICK: We have a question from --

22 MR. ERB: Oh, could I -- I'm sorry. Could I  
 23 add just a couple things also to that? It'll be very  
 24 brief, I promise.

25 CHAIRMAN PATRICK: Okay.

1 MR. ERB: First is that -- it's interesting  
 2 that the question -- there are -- there were a number  
 3 of police forces that actually refused to cooperate  
 4 with the interview of -- the so-called voluntary  
 5 interviews of the 5000 because they knew that it would  
 6 destroy the -- the trust that they had spent years  
 7 building up, and you can see even in this room there  
 8 has been -- there -- there's some -- some -- some  
 9 serious doubts raised about that -- that practice.

10 But on the other hand, in some areas you have  
 11 the -- quite the opposite. There was a sheriff in  
 12 Georgia who basically said that he would like to round  
 13 up and -- and expel all the Muslims from -- from the  
 14 State of Georgia if he could do that, and that  
 15 sentiment is certainly shared by others. So, again,  
 16 there is a -- there is a wide variety of responses to  
 17 these kinds of things across the country when you --  
 18 when you, again, look at it at the national  
 19 perspective.

20 It's also interesting that -- I mean, we do -  
 21 - because we work with government a lot we do recognize  
 22 that oftentimes, you know, local people have to --  
 23 local politicians and law enforcement agents have to  
 24 deal with the kind of after-effects of state government  
 25 and Federal government decisions, and we -- we do

1 recognize that that's a difficult position for them to  
 2 be in. And again, I'm -- I think that has been shown  
 3 here through the comments of these officials.

4 As far as -- also, just one more comment  
 5 about the -- the -- the use of police forces for -- for  
 6 INS law enforcement or INS enforcement. I mean, there  
 7 are -- there is the case -- so far the -- the 12,000  
 8 people -- 1200 people that have been detained in the  
 9 aftermath of September 11th, again, most of those were  
 10 held on very minor visa violations. And with the --  
 11 with the 5000 voluntary interviews, one of the first  
 12 questions that were asked, or certainly on the top of  
 13 the list of the -- of the materials that we saw, were  
 14 immigration questions. And these detentions have led  
 15 in some cases to weeks and months of detention without  
 16 charge and -- and other problems. And this has really  
 17 sent the wrong message to the community.

18 And I think that one of the reasons why you  
 19 might find some of the -- the response of the kind of  
 20 "go get them" type of response is sort of almost like a  
 21 protection mechanism. I know that in -- in areas where  
 22 there's high crime we often find people who are in  
 23 favor of profiling or who are kind of more -- are  
 24 stronger in their sense of -- in their support for  
 25 tough laws against crime even though it might be, you

1 know, treatment that might be a more effective anecdote  
2 to that.

3 And I think that that might be somewhat --  
4 something similar to what's happening here because  
5 there's a fear that -- that -- from looking -- that the  
6 outside world, that the non-Muslim people in the  
7 country are going to look at Muslims are -- are already  
8 looking at them as a fifth column. You see a lot of  
9 this sentiment at least, again, in sort of popular  
10 media. Not necessarily the -- the larger national  
11 media but in the local media you -- you get a lot of  
12 this. So, there's a sense that you've really got to  
13 put forward an even stronger face or a more kind of law  
14 and order face than you might actually feel personally.  
15 And that -- that may compensate for some of it, but  
16 certainly not all of it.

17 CHAIRMAN PATRICK: We have a question from  
18 Marc, and Ki-Taek Chun will have a question for the --  
19 that I will read from the audience. Marc?

20 MR. PENTINO: Marc Pentino, Eastern Regional  
21 Office. Ms. Freeman, I saw that CRS put out a list of  
22 25 things local law enforcement agencies can do to  
23 prevent hate crimes against Arabs, Muslims, and Sikhs.  
24 I guess your answer to the -- to the funding question  
25 kind of answered it for me, but is CRS able to assess

1 do have a fairly thick pack of -- I didn't bring it  
2 with me -- a document that documents all of the work  
3 that CRS has done, where we've done it, who we've done  
4 it with, when we've done it, what exactly we have done,  
5 and what the impact CRS has had in the community.

6 MR. CHUN: Ki-Taek Chun from the Regional  
7 Office. One question for Supervisor Gross. Your --  
8 your story about Kaleidoscope Program I find very  
9 heartening. I liked it very much personally, and I  
10 liked it so much so I have to ask a question about  
11 that. I get an impression -- perhaps I'm mistaken, but  
12 I do get an impression that the counterpart or parallel  
13 programs are absent in other districts in Fairfax  
14 County, let alone other counties. The question,  
15 naturally, then is why is it that there aren't, say,  
16 your kindred Kaleidoscope programs? Is it because of  
17 the lack of leadership and vision from -- on the part  
18 of those who are in leadership position or is it  
19 because of -- or there are some?

20 MS. GROSS: There are a couple of my  
21 colleagues who have what they call "Faith in Action"  
22 programs that are focused on the churches, on the faith  
23 communities, and coming together and resolving issues  
24 as a faith, in -- as -- as multi-faith.

25 I didn't want to do that in my district

1 how well that -- that -- that guidance was -- was  
2 taken? Has it been taken to heart by local law  
3 enforcement? Are you able to gauge at all if they've  
4 taken any of those steps? A number of them were, you  
5 know, visit schools, conduct audits of racial tensions  
6 in communities. Just seeing, do you have findings on  
7 -- on that list?

8 MS. FREEMAN: Let me -- let me just say I ran  
9 out of time before I got a chance to talk about that.  
10 That's actually posted on our Web site for both local  
11 law enforcement, 25 things, plus 25 things for school  
12 administrators and stool -- school superintendents to  
13 do with respect to the aftermath of 9.11.

14 The only thing that we have in terms of  
15 whether or not it's working is, as best as I can say,  
16 is anecdotal in terms of a study. I can also say that  
17 we have kept a log, is the best way to put it, of all  
18 of our activities throughout the country in terms of  
19 what's happening and gotten feedback from all the  
20 groups that we've been meeting with which has been  
21 incredibly positive. At those -- at -- those -- when  
22 we have that opportunity, we share that both with the  
23 community and the locals, and it's been very favorable.  
24 But in terms of statistical studies or anything other  
25 than the anecdotal information, I don't have that. I

1 because I think that that -- focusing only on a multi-  
2 faith kind of approach leaves out schools, it leaves  
3 out civic association, it leaves out people who are not  
4 necessarily practicing members of a faith. I was  
5 looking more at the cultural piece of it and -- and --  
6 and why people do the things they do, why folks are  
7 here, how we get along with one another, how we reduce  
8 tensions among ourselves. So, I would like to think it  
9 was not a lack of leadership. I would just like to  
10 think that maybe I'm ahead of the pack as far as  
11 setting up something that -- that can -- can work in  
12 the community.

13 It's sort of surprising to me that after  
14 almost four years people are looking at this as sort of  
15 something unusual and phenomenal. To me, it's almost a  
16 no-brainer. We weren't sure if it would last six  
17 months or it would last longer. I now am to the point  
18 where I hope that, you know, even when I'm no longer  
19 the supervisor of Mason District that Kaleidoscope will  
20 continue because we've just -- we've been able to  
21 establish some networking now among people who never  
22 would have met one another otherwise, and we're finding  
23 that that is -- is -- is working its way out into the  
24 community where people actually who didn't know one  
25 another now are getting together for dinner. They're

1 beginning to socialize together and -- and in addition  
2 to just coming to discuss issues at Kaleidoscope.

3 So, I -- I like to think this is a great,  
4 big, giant spider web that's going to involve everybody  
5 and be a collaborative community approach. And other  
6 people can do it; it's just a matter of doing a little  
7 organization, talking to a few people, getting them to  
8 come.

9 The one thing that I -- and I'm glad you  
10 raised Kaleidoscope because I wanted to mention one  
11 thing that I -- that I keep thinking of, at least in my  
12 district and I think perhaps certainly in the -- in the  
13 Washington metropolitan area, but I think across the  
14 country. I -- I realize that this particular focus is  
15 on Arab Americans, South Asians, and so forth, but the  
16 Latino community is also a very large part of this and  
17 are not represented here today.

18 I was at a -- I participated in a panel with  
19 the Community Foundation of Washington I guess it was  
20 earlier this month or late last month, and one of the  
21 participants who was a Latina social worker said the  
22 effect of 9.11 on her community was that it took  
23 members of the Latino community back to someplace they  
24 thought they had left. And that was -- that -- that is  
25 a -- a tremendous effect on that particular part of the

1 population. We know -- I think all of us know where it  
2 took us, but we need to make sure that everybody  
3 understands that all immigrants, all newcomers to this  
4 country, are affected in some way and -- and often it's  
5 in a -- it's because they -- they are now -- have --  
6 have to go back mentally, psychologically to a place  
7 they left a long time ago, and that's very sad.

8 MR. ASHTON: Just a couple of quick comments.  
9 It's certainly good to be in the group -- it's  
10 certainly good to be in the group -- the gist of the  
11 concerns and not about the standards of learning in the  
12 State of Virginia. And no one has to throw tomatoes at  
13 Virginia because of those.

14 But needless to say, I think one of the  
15 remedies, perhaps, for all the concerns that we've  
16 talked about today is really to become informed  
17 constituents about the kinds of initiatives that are  
18 occurring not only in our state but nationally. And I  
19 want to share one with you.

20 On January 31st, the governor of our state,  
21 Mark Warner, put together Executive Order Number --  
22 Number 7, and the -- this order initially was made to  
23 do the following. It's called the "Secure Virginia  
24 Initiative." And it's onus is this. The initiative  
25 shall include but not be limited to improving the

1 commonwealth's preparedness and response and recovery  
2 capability for national disasters, emergencies of all  
3 kinds including terrorist attacks.

4 Now, the panel has been formed and they're  
5 going to be meeting periodically. They're going to be  
6 soliciting comments from the public regarding -- as to  
7 what initiative and what the state is of Virginia and  
8 where we need to go. And there are a lot of  
9 initiatives being promulgated not only in Virginia but  
10 throughout the country that we need to be aware of. As  
11 informed constituents, you'll get your voice there.  
12 Let them know your concerns, and this is where I think  
13 a ground swell movement can make changes.

14 MR. HARRIS: Excuse me.

15 CHAIRMAN PATRICK: Oh -- Mr. Harris?

16 MR. HARRIS: Is it my time?

17 CHAIRMAN PATRICK: Yes. Your time.

18 MR. HARRIS: I was not going to say anything,  
19 but since my colleague from Virginia has spoken I want  
20 to ask the question for the record that the attorney --  
21 the -- the governor appointed the attorney general -- I  
22 mean, the -- I believe he asked the lieutenant governor  
23 -- the former lieutenant governor to be on this panel.  
24 And I would assume that he would be here saying some  
25 things to us according -- what you have just raised the

1 questions about. He would have that opportunity, then,  
2 or privilege, and he failed to respond. Are you  
3 representing him in this regard?

4 MR. ASHTON: No.

5 MR. HARRIS: Okay. Therefore, I'd like for  
6 the record to show that you raise a good question and  
7 that we have invited the former lieutenant governor to  
8 be at this panel so that it could respond to that kind  
9 of question. I'd just like to ask -- have that be  
10 shown in our record.

11 CHAIRMAN PATRICK: So done.

12 MR. HARRIS: I'm -- I'm from Virginia.  
13 (Laughter)

14 MR. DARDEN: Again, just -- just a quick  
15 question. The earlier panel representing adverse  
16 community groups made up of organizations responded  
17 that resources, really, were one of the major barriers  
18 to them in trying to respond themselves irrespective of  
19 what government might be doing. And if government too  
20 is in need of resources, I guess what I'm interested in  
21 knowing is your -- your attitude towards this  
22 competition for resources. Would you be prepared, even  
23 if it meant less or no more new resources coming to  
24 government, to allow that to go instead to these  
25 intermediate organizations so that they can do some of

1 the work directly with their constituent groups? And  
2 if so, what do you think about how to get that to them?

3 MS. GROSS: I can only speak from the  
4 standpoint of what we do in Fairfax County, but we have  
5 in Fairfax community collaborators, if you will, a  
6 number of non-profit organizations that do a lot of the  
7 -- the social programs that we would like to be able to  
8 do in the county, and they will put together a proposal  
9 and then the county funds it. We have about -- I want  
10 to say it's about \$8.5 million in our -- in our annual  
11 budgets that go to these various groups, the Hispanic  
12 Committee of Virginia, the Korean American Cultural  
13 Center, the Newcomers Association, all these various  
14 groups that -- much of it is English as a second  
15 language classes, resettlement -- the Vietnamese  
16 Resettlement Association, housing.

17 But also, what has happened more recently is  
18 more and more of the kinds of programs that you need to  
19 counsel people in trying to get adjusted here in this  
20 country and deal with some of the issues such as  
21 domestic violence, and in some cases we have people who  
22 are now here in Fairfax County the victims of torture.  
23 How do you deal with all those folks? We do it with  
24 our -- from our own tax base, with our own budget. We  
25 would love to have more money from the state for a lot

1 believes that that funding should be increased from the  
2 state level. It has not been in recent years. We have  
3 worked out some agreements recently to try to st  
4 that, but we need more assistance in that direction.

5 And we know that there are a lot of non-  
6 profits out there that can assist in other social types  
7 of situations, and so we recognize that there are  
8 oftentimes many organizations that are better equipped  
9 to deal with certain things and we welcome that. We  
10 welcome that assistance. We're in the same -- the same  
11 business, basically, trying to make sure that our  
12 communities are the best they can be. And so we -- we  
13 welcome that.

14 MR. DARDEN: But how do you effect it? What  
15 do you do to assist them in getting more resources?

16 MR. CLARKSON: There are opportunities all  
17 along the way in terms of reaching out to these  
18 organizations on a personal level and then establishing  
19 connections that -- or collaborations, operative word  
20 that the supervisor used, where, you know, people can  
21 work together in putting -- in putting grants together.  
22 If there are opportunities for -- for us to recognize,  
23 perhaps, performance by organizations. You know, in  
24 many cases we're willing to express that in those grant  
25 applications, things of that sort. Working with people

1 of programs that would free up -- you know, if we  
2 didn't have to spend a lot of -- as much money on -- on  
3 -- on certain programs, we would put more money into  
4 this. And from the Feds, of course.

5 We -- we -- and -- and the one of concern and  
6 Chief Moose and I were just here chatting about it just  
7 briefly, the -- the whole INS piece. If it's going to  
8 mean that our local police resources are going to have  
9 to be used, then for heaven's sake, have the funding  
10 come along with it because more and more, everything  
11 flows downhill and it ends up at the -- at the -- the  
12 local level, at the county level, and we are expected  
13 to pick up all the slack. It's really tough for our  
14 taxpayers to do that, but we're willing to step up to  
15 the plate and one of the ways we do it is through our  
16 -- our community non-profits.

17 MR. CLARKSON: Yes, I think that it's been a  
18 very appropriate question for one thing. I know that  
19 our county executive, Mr. Duncan, feels the same way,  
20 that government can't do everything, and we recognize  
21 that. We know that there are many meetings out there  
22 in the community that we simply do not have the  
23 resources to grapple with. For one thing, we know that  
24 in our jurisdiction a big problem right now is funding  
25 for mental health services. Our county executive

1 -- and putting those types of things together where we  
2 can work as partners in collaboration. Sometimes we  
3 take on a piece and another organization will take on a  
4 piece and facilitate some type of change in the  
5 community.

6 POLICE CHIEF MOOSE: Some of it may -- may  
7 just require some -- the thinking that you just put on  
8 the table because oftentimes maybe local government  
9 really is subject to the rules that someone at the  
10 higher level makes. And -- and I would hope that we're  
11 all astute enough that if somehow the Federal  
12 government decides to put money in one area, we always  
13 try to be cognizant of supplanting and following all  
14 the rules. But certainly, if -- if government -- if --  
15 if money flows to public safety from the Federal  
16 government, then certainly, that will be less money we  
17 have to ask from the local government. And -- and so  
18 then hopefully we don't just all reduce our taxes but  
19 do figure out ways to partner, to grant, to fund  
20 perhaps some of those -- those entities from a holistic  
21 approach that the Federal government decided at the  
22 point in time maybe weren't the priority.

23 So, it really is us thinking about it as a  
24 team as opposed to just saying, well, if -- if the  
25 Federal government puts a lot of money in public

1 safety, we're just going to go to the trough and we're  
2 going to forget about our -- our other counterparts  
3 that actually make the quality of life in our community  
4 but that we would say, okay, we'll go to the trough,  
5 we'll get what we can, but at the same hand we won't  
6 ask for anything at the local trough, and we would hope  
7 that that would be diverted to the other entities  
8 that -- that maybe weren't the priority.

9 But I think -- I -- from my perspective from  
10 looking at it, Montgomery, Fairfax, they do look at the  
11 world that way, and if -- if they can get it from one  
12 source, then they would take what they've got in hand  
13 and try to distribute it. But -- but again, it has to  
14 be a thoughtful process. You have to go in looking at  
15 it that way, and then you've got to also be careful not  
16 to violate any --

17 MR. DARDEN: Don't want you to do that.

18 MS. GROSS: We call it leveraging dollars.  
19 It's always leveraging dollars, and one of the things  
20 that we have found is that if we were able to help a  
21 non-profit deal with, for instance, training in grant-  
22 writing, maybe the money that they get from the county  
23 actually would help free up a staff member who then can  
24 focus on grant-writing because we find that so often  
25 now grants are out -- there's lots of money out there.

1 anything on his driver's license that would have  
2 alerted anybody to anything.

3 So, you know, sometimes I think we just feel  
4 like we need to do something so -- so we can say we did  
5 something. And I'll leave it at that, but -- but if  
6 you're looking for some kind of answer to say that  
7 there's never ever going to be another terrorist act,  
8 then some of this foolishness just needs to be set  
9 aside because that's not how you solve this kind of  
10 problem.

11 LT. CDR BOYKINS: Again, many times our  
12 responses look for the quick fix, and to me personally,  
13 that sounds more like a quick fix. I think, just to  
14 give you an example, I -- I think a few of the  
15 terrorists had gone to flight school and they were only  
16 concerned with taking off. They didn't want to know  
17 how to land the plane. I think that should have been a  
18 flag regardless of the race or ethnicity of a person,  
19 if they're asking only about taking off. And I -- I  
20 think we, especially in law enforcement, have to focus  
21 on behavior rather than stereotypical things that are -  
22 - are insignificant. And that's kind of the whole gist  
23 of where this issue on racial profiling. So, if we  
24 look at measurable things regardless of a person's race  
25 or ethnicity I -- I think will yield better results.

1 You just have to have the right program and you need to  
2 have somebody who knows how to write grants, so now,  
3 over the last three years, we've seen an awful lot of  
4 non-profits. They're all excited now that they've got  
5 a grant-writer on staff that they didn't have before.  
6 Again, it's leveraging dollars, taking some public  
7 dollars and then making it grow through the opportunity  
8 to reach out to folks who have lots of money to give.

9 CHAIRMAN PATRICK: Okay. I have one question  
10 from the audience, then I'll get to Pat. The question  
11 is this. One result of 9.11 is a move in certain  
12 states, such as the Commonwealth of Virginia, to issue  
13 different IDs/drivers' licenses which will set apart,  
14 underline, non-citizens, including legal residents,  
15 holders of HIB visas, students, and undocumented  
16 aliens. This will, in all likelihood, lead to  
17 discriminatory behavior against people identified as  
18 non-citizens. Any member of the panel care to comment  
19 on that?

20 POLICE CHIEF MOOSE: You know, I certainly --  
21 it comes back to just the real fundamental thing that  
22 we all seem so willing to forget. Prior to the tragedy  
23 at the World Trade Center, the largest terrorist  
24 incident in America was -- was perpetrated in Oklahoma  
25 City by Timothy McVeigh. And there wouldn't have been

1 MR. ERB: Can I also make a couple comments  
2 about that? I think that in regards to a lot of the --  
3 the -- the proposed ideas or proposed actions to -- to  
4 supposedly make the country safer after September 11th,  
5 we're kind of like fighting the last -- we're trying to  
6 protect against what already happened. We're not  
7 protecting -- we're not making the country safer,  
8 necessarily. We're looking at what seems to have  
9 happened in this case and how could we have protected  
10 against that, but that by itself isn't going to make  
11 for greater security.

12 And this -- I think it's also been a cover  
13 for people to kind of put forward their -- their own  
14 particular agendas. Not all of the terrorists, for  
15 example, were illegal immigrants. Some of them were in  
16 status. Some of them were perfectly legal, and that  
17 didn't stop them from -- from carrying out these  
18 attacks. So, none of these actions now that are being  
19 discussed would have necessarily protected against  
20 that.

21 And again, it will, again, roll downhill and  
22 land on the local level and, you know, folks at -- at  
23 that level are going to kind of have to pick up the  
24 pieces and figure out how to -- how to implement this  
25 stuff. And the question is, from, again, for the

1 national perspective is, is this really where our  
2 resources are best spent in trying to make for -- for a  
3 more secure country.

4 MR. OKURA: I have just one question. In  
5 this comprehensive plan that's been set up in Fairfax  
6 County and so on, the matter of health, does that  
7 include mental health? Being a mental health  
8 professional, I'm very concerned about people's -- and  
9 what's happening to people -- the fear and all these  
10 other things that have a mental health aspect to it.  
11 And very little has been paid attention to the matter  
12 of mental health of our people that are being affected.

13 MS. GROSS: I'm glad you raised that point  
14 because that is the one -- that is one of the areas  
15 that I think is going to be the hardest to get our arms  
16 around. We can -- we can handle the emergency  
17 response, we can handle some of the other things that  
18 are -- are -- are technical and that our first  
19 responders know about and -- and do everyday, but it's  
20 the health piece that is -- it is going to be much more  
21 difficult.

22 One thing, it is -- it -- it's the -- it's  
23 the mental health, it's also -- there are different  
24 approaches in different communities as to what mental  
25 health -- what the proper response is. It's very

1 up after -- as a result of 9.11, it's been here for  
2 centuries. I've lived -- nine decades in this country.  
3 We're -- history -- as I said this morning, history has  
4 a tendency to repeat itself, and I've seen this whole  
5 thing being played over again as I grew up in the '20s  
6 and '30s and '40s and then interned for three years  
7 because of Pearl Harbor, all of that. So, it's nothing  
8 new that we're facing in this country, but we're seeing  
9 history repeat itself all over again.

10 It's hard for me to accept the fact that it's  
11 a balancing act that you mentioned when the  
12 Constitution of our country has certain protections for  
13 all citizens and non -- and permanent residents and  
14 even aliens that are non-citizens, so it's -- what is  
15 right is right and what is wrong is wrong. But I think  
16 if we could carry out the -- the protection that's  
17 based on the Constitution of our country, maybe we  
18 could answer some of these questions a little more  
19 efficiently.

20 CHAIRMAN PATRICK: Les?

21 MR. JIN: Thank you. Les Jin, staff,  
22 director, Commission of Civil Rights. I came here this  
23 afternoon with no intention of asking questions. I  
24 just wanted to come and listen. But I could -- can't  
25 resist.

1 expensive. We don't have enough mental health  
2 professionals in -- within the region. We know that  
3 because we have lots of waiting lists for people who  
4 haven't been -- who have been on the list long before  
5 September 11th ever happened. And -- and so, that's  
6 going to be -- I think that of all the issues that  
7 we're going to be dealing with in this emergency  
8 response plan in the region, the health piece of it is  
9 probably the hardest.

10 And quite frankly, having heard about the  
11 bioterrorisms and having briefings on bioterrorist  
12 kinds of activities way beyond anthrax, it is the  
13 scariest piece, too. But I think that all the others -  
14 - you know, water, we know about water. We know about  
15 electricity. We know about all those things, and we  
16 have people who can handle that. It's the -- it's the  
17 health piece that I think is going to be the most  
18 challenging and probably the one that takes the longest  
19 to really put into place in this overall plan.

20 MR. OKURA: I happen to sit on the board of  
21 directors of the National Mental Health Association,  
22 which is located right here in Virginia. And there are  
23 a number of experts and there are all kinds of plans  
24 that I think is available. That's one thing.

25 The whole concept that all of this has come

1 So, let me first thank all the panelists on  
2 behalf of the Commission. I know the committee chairs  
3 have already done that, but very much appreciate your  
4 participation -- your participation not only in this  
5 panel but, of course, over the last two days is  
6 critical to the success of the -- of these kind of  
7 hearings. And again, let me reiterate what I said  
8 yesterday morning, which is, again, thank the -- not  
9 only the three co-chairs but all the leaders of the  
10 three SACs who have -- who have done so much good work.  
11 And I've heard really good things about what's been  
12 going on yesterday afternoon and this morning, so let  
13 me say that, first of all.

14 As you all know, the Commission on Civil  
15 Rights, you know, one of the things, you know, we don't  
16 have enforcement powers but we do make recommendations  
17 and -- and -- and stuff like that. And -- and so one  
18 of the things I'm particularly interested in, in  
19 addition to what you've already said, is, you know, any  
20 thoughts you might have in terms of your  
21 recommendations based primarily on your own experience  
22 in terms of what you saw happen in your local  
23 jurisdiction but also in terms of your broader opinions  
24 based on what you have seen. What -- what -- what  
25 lessons have we learned in terms of post-September 11th

1 in terms of dealing with the civil rights issues of an  
2 affected community like those that were affected  
3 subsequent to September 11th? I mean, how do we  
4 address these important security issues but  
5 nevertheless protect civil rights of the -- of affected  
6 individuals? I mean, some specific examples, perhaps,  
7 would help us as we go forward for the Commission to --  
8 to -- to -- to play a significant role in terms of  
9 saying, look, we can -- we can do both. And -- and it  
10 is important, you know, to protect these civil rights,  
11 and we -- we can do this, and here are some specific  
12 suggestions to how we do it. These are lessons we've  
13 learned, type of thing.

14 So, I appreciate any or all of the panelist's  
15 comments on that.

16 MS. GROSS: Well, I like what Mr. Okura had  
17 said about the Constitution. I never considered myself  
18 a Constitutional scholar and really didn't invoke the  
19 Constitution very often before September 11th. Every  
20 once in a while it would come up. But I am finding  
21 myself more and more defending the Constitution in  
22 public forums because people tend to forget, in their  
23 public statements at any rate -- they may not realize  
24 that they're making a public statement when they stand  
25 up in the middle of a civic association meeting or

1 something. But what they are actually advocating is  
2 diametrically opposed to the Constitution of this  
3 country and why it was founded.

4 And I think it's an opportunity for us to all  
5 go back sort of to colonial days and -- and -- and  
6 remember why we're -- why this country was founded in  
7 the first place and how that framework -- and I know  
8 I -- I have -- I have explained this to a number of  
9 people who have come here from other countries who have  
10 said to us, but this is freedom, America is free, I can  
11 do what I want. And I have always had to explain to  
12 them that our freedoms are protected by this structure  
13 of laws that we have. And then it looks like the light  
14 goes on, that they hadn't realized, and I think that it  
15 happens all the time. We forget that we have a  
16 structure of laws, that we do have wonderful freedoms  
17 but we also have responsibilities and that gets lost  
18 sometimes.

19 So, I think if we just go back to look at our  
20 Constitution. You don't have to be a strict  
21 constructionist or a loose constructionist. Just try  
22 to be reasonable and rational about what the American  
23 Constitution says, what it stands for, and how it has  
24 protected us in most cases over the last 220-some  
25 years.

1 MR. ASHTON: Within the educational  
2 community, I think what has happened, that we've  
3 discovered that there is a plethora of positive  
4 paradigms that have occurred since 9.11, for lack of a  
5 better word, and that these practices have been the  
6 best-kept secrets. The public is not aware of the good  
7 things that are going on in school divisions that have  
8 helped them to be residual and helped them to be  
9 resilient through difficult times. And we as  
10 constituents need to let the public know the kinds of  
11 positive things that are occurring, these partnerships  
12 that are occurring, the networks that are being formed  
13 that will have a future credence to things that will  
14 happen in the future. And a lot of, I mean, really  
15 solid things are going on in our communities that folks  
16 are not aware of that need to be valuable and need to  
17 be -- let the public know this is what we're doing.  
18 And we need your support, but we need to build on it.  
19 I think as a result that's what happened.

20 MS. DOUGLAS: I'd like to just make a very  
21 brief comment that in the -- during Ramadan we were  
22 invited to a planning session for a State Department  
23 iftar, dinner, for the Ramadan. And in the -- during  
24 this meeting we were asked, you know, by the State  
25 Department officials what story can we tell overseas

1 about the virtues of America, what do we do, you know.  
2 This whole question which I can't stand, which is why  
3 they hate us when we are some of them and some of us  
4 and whatever.

5 But nevertheless, they were not aware that  
6 teaching about religion takes place in the schools.  
7 They were not aware of the most profound social  
8 experiment and cultural experiment, cross-religious  
9 experiment in probably the history of the world. Oh,  
10 they teach about religion in schools? Yeah, and within  
11 a constitutional framework. Hey.

12 POLICE CHIEF MOOSE: I might want to just  
13 echo that, that -- that maybe the real fundamental  
14 answer is we have a lot of good systems in place but --  
15 but many of them are somewhat dysfunctional. And --  
16 and so, I don't know if we need to create a whole lot  
17 of new things, but in some ways it's just like the  
18 complacency we were able -- willing to accept at the  
19 airports.

20 I don't know if that's going to be a dramatic  
21 system change, but the system that's there -- I am  
22 encouraged that the systems that -- that is there will  
23 start to work. And -- and it takes me back to my own  
24 police department. It's like, are we actually, men and  
25 women in a department, as effective employees as they

1 should be or are they working at somewhere like 40 or  
2 45 percent of their capacity. You know, the attention  
3 to detail, just like a student. Is a student  
4 functioning at their maximum capacity. I know when I  
5 was an undergrad I didn't function at maximum capacity.  
6 I was --

7 (Laughter)

8 POLICE CHIEF MOOSE: -- I was busy with some  
9 other stuff. And you know, you kind of go -- can you  
10 go through the whole system of what we do and say, can  
11 we all do a better job with the systems that we have.  
12 When the tendency, the easy answer is, well, let's  
13 create something new, let's overlay something, and then  
14 never even come back to see if that got properly  
15 implemented. And so, if we could somehow properly  
16 implement, I think, the things that we have, if you're  
17 just talking about our ability to keep people safe, I  
18 think we would be successful there.

19 But I would say that it does get confusing to  
20 me and I think to other Americans. We normally deal  
21 with these kind of situations from a criminal justice  
22 standpoint. We're going to gather evidence, arrest  
23 someone, and prosecute. I think what happened with  
24 September 11th, we all got thrown a curve when we moved  
25 from a criminal incident and we moved to war. And

1 another set of emotions came into play. People started  
2 expecting another set of behaviors with regards to  
3 rights, constitutional protection, and I think, you  
4 know, clearly, the movement to war from President Bush  
5 was the right thing to do, but I think from an  
6 educational standpoint it confused many of us in this  
7 country about what does that mean we're supposed to do  
8 now. What are we given liberty to do, how should we  
9 react, how big is this war thing.

10 So, two different approaches to solving a  
11 problem: a criminal justice approach and a war  
12 approach. And I think that it just has been very  
13 confusing because when you talk about war, the  
14 Constitution, a lot of rules kind of go out the window.  
15 And I think some of that got mixed up and people were  
16 willing to throw some things out the window here at  
17 home and not really stay focused that we have a  
18 criminal justice system and a Constitution that we all  
19 have worked very hard.

20 So, a lot of stuff there, but I think  
21 efficiency of present systems -- and this comes from --  
22 and not -- not to go on and on, but when we watch what  
23 happened in New York, police officers after years and  
24 years of working probably at about 30 percent, they  
25 probably started working at about 60 percent capacity,

1 and -- and the community got safer. I don't think they  
2 have ever reached 100 percent, but they did -- they did  
3 improve. And you can see it in your own work --  
4 If you can get them to work 10 percent better, it's  
5 amazing how much more productive we'd be, and if you  
6 could double and triple that.

7 But we have good systems. They're  
8 dysfunctional. INS probably works if we would fund it  
9 correctly. You know, other things, the FBI works if  
10 you fund it correctly. We've simply told them, go work  
11 on terrorism. We haven't made, in my mind, the FBI  
12 bigger and better, so they're going to walk away from  
13 bank robberies, they're going to walk away from  
14 computer fraud because we told them to focus on  
15 terrorism. And then eventually, when we all lose  
16 enough money in computer fraud and bank robberies, then  
17 we'll tell them to come back and work on that instead  
18 of saying maybe we need to properly fund them so that  
19 they can do both missions or three missions.

20 But again, I hope we can slow the train down  
21 and be more thoughtful --

22 MS. FREEMAN: Let me go ahead and answer Mr.  
23 Jin's question and -- and see if I can do it by  
24 providing a, for the record, a copy of all of the  
25 activities that the Department of Justice as well as

1 CRS has done. And let me -- and let me say with  
2 respect to CRS's work, yeah, we did it but we did it  
3 holding hands with the local community, so to the  
4 extent that we provide that documentation, you'll be  
5 able to see some of the best practices of the local  
6 police chiefs and the communities and the community  
7 groups throughout the country.

8 REV. ANTHONY: Mr. Chairman, I recall that by  
9 previous agreement the three of us were to make some  
10 opening comment, and because I got my times confused by  
11 about a half an hour, I didn't make it at the outset.  
12 So, if your indulgence I make it now for the record  
13 since I have to retire.

14 First, I would like to publicly state how  
15 well we all have been at your leadership and your  
16 hosting us in your very fine state and your keeping us  
17 on time and on track. Such a thing is to be expected  
18 not only because of your excellence of mind but because  
19 you're also short and short people --

20 (Laughter)

21 REV. ANTHONY: -- are -- are gravely endowed

22 CHAIRMAN PATRICK: Well said.

23 (Laughter)

24 CHAIRMAN PATRICK: As it relates to the  
25 members of the D.C. SAC, I certainly wish to extend my

1 appreciation to all of you, both in the work that you  
 2 did to help prepare in this matter and in the diligence  
 3 of your just showing up. You've got new members such  
 4 as Brother Kaplan there, and you've got others that  
 5 weren't intimately involved in the work like David but  
 6 they're here today -- Cynthia Graae and -- and -- and  
 7 Steve.

8 On the 12th of -- and certainly, I -- I -- I  
 9 really wouldn't want to conclude my thanksgivings  
 10 without giving some thanksgiving to Marc Pentino.  
 11 After two mayors and one member of Congress, I'm  
 12 absolutely sure that I know a good government employee  
 13 when I see one, and he's a magnificent state -- it's  
 14 good even though he's probably profoundly overworked  
 15 and magnificently underpaid.

16 On the 12th of September, in my role as the  
 17 chaplain for the police department of the District of  
 18 Columbia, I reported to the Pentagon and thereafter  
 19 stayed on the night shift for three weeks. And there  
 20 for one shining moment I saw above our tears what our  
 21 motto says we ought to be: E pluribus unum. I saw  
 22 great diversity of people and one moment in time all  
 23 coming together to affirm with their efforts and by  
 24 their hearts that we were Americans and that that meant  
 25 something.

1 It seems to me that the glory of our nation  
 2 is not so much its people but the principles that make  
 3 us people. The scriptures of our faith, but more the  
 4 rich civic scriptures of liberty that make us all one.  
 5 I therefore think it's no accident that the three of us  
 6 have gotten together, those civic scriptures have their  
 7 writing at the hands of people who came from Virginia.  
 8 They're modeled by people in Maryland that offered the  
 9 freedom of worship and religion to anyone who would  
 10 come. They're enshrined in the monuments of our city  
 11 of Washington and en fleshed in the souls of noble  
 12 people such as Frederick Douglass, who reminded us as a  
 13 citizen and an employee of that government in  
 14 Washington that the limits of tyranny are proscribed by  
 15 the endurance of the ill-pressed.

16 I would hope that in this rush that we would  
 17 understand that when historians look over this time  
 18 that they will find that we are at our best when we  
 19 follow our principles, that we should never allow the  
 20 exigencies of emergencies to cancel out the duty to  
 21 hold those things in high regard, and that the great  
 22 goal of our responses to 9.11 is to make sure that some  
 23 historian will be able to say when we're all dead that  
 24 this was our finest hour and not our greatest  
 25 contradiction.

1 CHAIRMAN PATRICK: Amen. Reverend Anthony,  
 2 thank you for those words.

3 I too would, first -- first of all, like to  
 4 thank the panel. This is our concluding panel. And  
 5 over the two days we have been given information and  
 6 education, issues were stirred up, looked at. We had  
 7 the Federal government, we had the local government, we  
 8 had the individuals from the affected communities all  
 9 bring us information which we will use to provide  
 10 further information for all the communities and to  
 11 continue to educate us all. Thanks to all the members  
 12 of the Virginia, D.C., and Maryland Committees. Of  
 13 course, also to the dedication and hard work of the  
 14 staff of the Eastern Regional Office, Director Ki-Taek.  
 15 I -- I don't see Ed Darden, Marc is here, and we have  
 16 with us Les Jin, the director of the -- the staff  
 17 director of the Civil Rights Commission.

18 And I'd like to personally thank Supervisor  
 19 Gross for allowing us to use these facilities. I was  
 20 -- I used to live in the Mason District. My office is  
 21 just up the street. So, my office is in the Mason  
 22 District but I now live in the Lee District so I'm not  
 23 too far away. Still in Fairfax County.

24 And of course, to the members of the public  
 25 for having given us your attention, brought to us the

1 questions, provided insight, and for helping us to  
 2 remember, as I said yesterday, that civil rights are  
 3 not fleeting. They don't change with the wind.  
 4 They're not momentary. They're not led by any  
 5 official, public, local, or otherwise. They're the --  
 6 there are -- ours for us to keep, for us to safeguard,  
 7 and for one moment if we believe that, well, I'm not a  
 8 member of the affected community, what happens when  
 9 someone else comes along and decides, well, I want to  
 10 change this law, you will be affected.

11 So, with that in mind, I thank all the  
 12 participants and I thank all the members of the  
 13 Committee, and with that, I bring these hearings to a  
 14 close. Thanks, everybody.

15 (Whereupon, at 3:51 p.m., the proceedings  
 16 were concluded.)  
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