

KNOW YOUR RIGHTS

As A Muslim American



CAIR
NEW YORK

WHAT IS CAIR-NY?

The New York Chapter of the Council on American-Islamic Relations (CAIR-NY) is a non-profit, grassroots civil rights and advocacy organization. CAIR-NY works to protect civil liberties, enhance the understanding of Islam, encourage civic engagement, empower Muslim Americans, and build coalitions that promote equal rights and mutual understanding.

KNOW YOUR RIGHTS

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

WHAT SHOULD I DO IF I'M CONTACTED BY LAW ENFORCEMENT OFFICIALS?

All Americans have a civic duty to report criminal activity in their communities to authorities. At the same time, Muslim Americans are frequently the subject of baseless law enforcement investigations for doing nothing more than practicing their faith. If visited by law enforcement, remember:

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

“OFFICER, DO YOU HAVE A WARRANT?”

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

WHAT SHOULD I DO IF I AM STOPPED BY A POLICE OFFICER?

In New York, you are not required to carry ID, and you don't have to show ID to a police officer. If you are issued a summons or arrested, however, and you refuse to produce ID or tell officers who you are, the police may detain you until you can be positively identified.

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

WHAT SHOULD I DO IF CONTACTED BY DHS?

If you are a U.S. Citizen, you cannot be denied re-entry. If you are not a citizen and you are contacted by the Department of Homeland Security (DHS) or other U.S. immigration officials, remember:

- **The law requires you to carry your registration documents with you at all times.** If you do not produce them, you may be arrested.
- **Never sign anything without reading and understanding it.**
- **You have the right to an attorney** who can visit you and represent you in immigration hearings. It is a good idea to carry the contact information of an immigration attorney. You can also call CAIR-NY at 646-665-7599.
- **Officials may not ask you improper questions** about your religion, political beliefs, membership, or donations to any group, or past travels.



WHAT SHOULD I DO IF I EXPERIENCE DIFFICULTIES AS AN AIRLINE PASSENGER?

You have the right to travel in peace.

- If you believe you have been treated in a discriminatory manner by an airport or airline employee or by security personnel, ask if you have been singled out due to your name, race, ethnicity, or faith. Write down the name, ID number, and contact information for the parties involved and any witnesses. Write a statement of facts immediately after the incident, and report it to CAIR-NY.
- If another passenger is harassing you on an airplane, you can contact an attendant and ask to be moved.
- Remain calm. Follow the above instructions on reporting the incident after you land.
- You may be subject to additional screening at the airport. Allow plenty of time so that you do not miss your flight.
- If you are constantly subjected to advanced screening, or prevented from flying, file a complaint with the DHS or [DHS.gov/trip](https://www.dhs.gov/trip). Report your complaint to CAIR-NY.

THE NO-FLY LIST

Inclusion on the no-fly list prevents individuals from flying at all. If you are able to board an airplane, even after extensive screening, you are not on the no-fly list. If you are prevented from traveling, call CAIR-NY at 646-665-7599.

WHAT ARE MY RIGHTS AS AN EMPLOYEE?

It is illegal for an employer to discriminate on the basis of race, religion, or national origin.

The 1964 Civil Rights Act and New York's human rights laws guarantee your right to:

- **Fairness in hiring, firing, and promotions.** Your employer may not consider race, religion, or national origin when making decisions that affect your work.
- **A non-hostile work environment.** Your employer must ensure that you are not subject to anti-Muslim insults, harassment, or unwelcome and excessive proselytizing.
- **Reasonable religious accommodation.** The failure of an employer to reasonably accommodate your religious practices may constitute discrimination.
- **Complain about discrimination without the fear of retaliation.** The law guarantees your right to report discrimination. It is illegal for your employer to retaliate against you for filing a truthful complaint.



WHAT SHOULD I DO IF I FACE DISCRIMINATION AT MY JOB?

Workplace discrimination is illegal. If you encounter unfair discrimination at work, there are ways to protect yourself, and help prevent it from happening to others in the future.

- Document every incident immediately, noting the date, time, place, and exactly what happened. Note the names of witnesses.
- Keep copies of all materials that support your claim of discrimination.
- Using the information you collected, file a written complaint of discrimination with your company's human resources department. Report the same information to CAIR-NY at 646-665-7599 or cairny.org/incident-report
- **Do not** sign any documents or resign from your position without consulting an attorney.
- Consider asking for workplace mediation, or to be transferred to a different job site.



WHAT ARE MY RIGHTS AS A STUDENT?

Everyone has the right to express their identity.

At school, students have the right to:

- Speak freely about their religion and their political views.
- Pass out literature about Islam.
- Organize student-led prayers on school grounds.
- Organize meetings to discuss religious or political beliefs.
 - Everyone has the right to an education. The law says that the above activities may not disrupt class!

Additionally, you have the right to:

- Wear religious clothing, as long as other clothes with similar messages are allowed.
- Be excused from class discussions you find religiously objectionable.
- Be excused from class to pray.
- Be excused from school on religious holidays.

Under New York State's Dignity for All Students Act (DASA), school officials have an obligation to implement policies against discrimination, harassment, intimidation, taunting, and bullying based on numerous factors, including religion and ethnicity. DASA provides protections against bullying at school, at home, or online. If you or your child have been the victim of bullying and think your school could be doing more to help, please contact CAIR-NY immediately.

HOW SHOULD I REACT TO A HATE CRIME?

It is extremely important to report hate crimes!

If hate crimes are not reported, legal authorities and civil rights groups like CAIR-NY cannot respond to them. Incidents must be documented and reported **immediately** for an effective response.

If you have been the victim of a hate crime, or have witnessed one:

- If you are in any danger, immediately call 911.
- **Document the incident**, noting the date, time, place, and exactly what happened.
- Using this information, **report the crime to both local and federal officials immediately**. Ask that it be recorded as a hate crime. Report the crime to CAIR-NY by calling 646-665-7599 or e-mailing info@ny.cair.com.
- **Follow up with police and CAIR-NY**, whether the incident is resolved or not.
- Responding to hate crimes is part of CAIR-NY's mission! With your authorization, CAIR-NY may respond with legal action, public statements, and news conferences, or by organizing peaceful protests. CAIR-NY can be a strong voice for victims during the investigation and prosecution of a hate crime.

GET INVOLVED

Muslim Americans can fight injustice and work toward a better, more inclusive society by being active within their communities.

- **Get involved in local government.** Have a say in local affairs by attending community board meetings. Find out when and where yours is by visiting this link: nyc.gov/site/cau/community-boards/community-boards.page
- **Get involved in national government.** Call or write to your representatives and ask them to protect the rights of Muslim Americans. Find their contact information by visiting this link: usa.gov/elected-officials
- **Do community service.** Volunteer with the NYC Parks Department or the New York Public Library. Donate blood. Help out at a good bank. Join a community garden. Find hundreds of volunteer opportunities at newyorkcares.org and nycservice.org
- **Get involved with CAIR-NY.** Help us defend civil liberties by donating or volunteering! Find more information at cairny.org/volunteer





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**Help us continue speaking
out for you!**

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