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### Miranda Kerrigan - Internship at the Council on American-Islamic Affairs

From June 3rd to August 15th I worked as the Government Affairs Fellow at the Council on American-Islamic Affairs, New York. During this time I concerned myself with three main projects. This essay will explore the details of these projects and their relevance to hatred in the New York Muslim community. The two primary sections of this essay are divided into work that is reactive in nature and work that is community-driven.

The Council on American-Islamic Relations was established in 1994 as a civil rights organization designed to challenge common stereotypes of the Muslim community and seek justice for those who are victims of hate crimes and discrimination. Through this conceptualization, CAIR is entirely a reactive organization; its very creation was to prevent further harm from occurring.

CAIR is a national organization, but each state has its own chapter. CAIR-NY is located in Astoria, Queens, a fifteen-minute drive from my own home. The offices are inside what seems to be an old warehouse building whose largest rooms were converted into prayer areas. There are two offices, without windows, and a large sitting area that includes several couches that have seen better days. CAIR-NY shares the building with a chapter of the Muslim American Society and a youth summer camp. The neighborhood, which is a few blocks away from Steinway Street—one of the largest hubs of Arabs in New York—is surrounded by small houses and a nearby park. CAIR-NY deeply values its connections to the local community. In terms of the office, interns outnumbered paid staff two to one and the majority worked in the legal department.

CAIR-NY handles a significant amount of legal cases each year. Normally a client will call the office and a staff member will complete an intake interview in which the basic information of the case would be recorded, as well as the client's name, phone number, and most importantly, the location of the incident in question – CAIR-NY can only assist clients whose incident occurred in New York State. After the intake is completed, the Legal Director or Legal Fellow will have a more in-depth conversation with the client to determine if the situation requires CAIR-NY's assistance.

Many of the steps that CAIR-NY takes after this relies on the client's preferences, which can range from a formal apology to charges pressed. Of course, CAIR-NY has no authority over who the District Attorney decides to charge with a hate crime. There is also a clear tension between civil rights organizations and law enforcement. An example of this tension concerning CAIR-NY can be seen in the case of Fataumata Camara, who was attacked when coming home from an award ceremony at the NY College of Technology. She suffered serious injuries and was called various racist and sexist slurs, but the NYPD has decided not to pursue the case.

There are many other cases like Ms. Camara's – cases that are not investigated or prosecuted as hate crimes. My interview with CAIR-NY's Legal Director Ahmed Mohamed shed some light into how a case becomes a hate crime in New York City. Mr. Mohamed explained to me that there is a specialized task force inside the NYPD which investigates hate crimes. However, the Hate Crimes Task Force only investigates a crime if it is recommended to them by the case's original investigator. For example, if a police officer on site decides that an incident has the elements of a hate crime he may recommend the case to the hate crimes unit. The catch, according to Mr. Mohamed, is that, comparatively, the number of hate crimes prosecuted vs the number that CAIR think are occurring is quite different.

There are several possible reasons for the difference in numbers. One possibility is that officers lack the correct training to recognize an incident as a hate crime and therefore never recommend a case to the Hate Crimes Task Force. According to CAIR-NY's Executive Director Afaf Nasher, in this situation, our organization would gladly work with the NYPD to provide better training for officers. However, it is not a great leap to assume that once all NYPD officers are trained correctly to identify hate crimes, the number of hate crimes reported will increase. In a city as important and political as New York, low crime statistics are incredibly significant. New York City Mayor Bill de Blasio has frequently cited the decrease in crime during his presidential campaign as does the NYPD. It is in the interest of law enforcement to keep these statistics as low as possible. That being said, there is no definite proof that NYPD is purposely unwilling to prosecute hate crimes.

What can be definitively proved as a reason for the difference in hate crime statistics, is the Muslim community's distrust of law enforcement. When a community does not believe that law enforcement agencies exist to protect them, incidents go unreported. When I spoke with Ms. Nasher, she told me about a conversation she had with CAIR-NY's previous Legal Director Albert Cahn, in which Mr. Cahn said that in the Jewish community reporting a hate crime was immediate. Ms. Nasher conveyed to me that many Muslim have a very different relationship with law enforcement and many would never report incidents.

For those who have been aware of the NYPD's previous surveillance on the Muslim community, it is not at all strange to understand why there is a lack of trust in the police. One of the most important projects I worked on at CAIR-NY was lobbying City Council members for the passage of the Public Oversight of Surveillance Technology (POST) Act. The POST Act is a

New York City Council bill that member Vanessa Gibson introduced in 2017. The act's primary function is to provide transparency in regards to the NYPD's surveillance technology.

Currently, the NYPD can purchase surveillance technology without formally documenting it because of donations to the New York City Police Department Foundation or funding from federal grants. This money has been used to purchase military-grade tools such as "x-ray vans" which use radiation to observe individuals inside buildings and cars. The first documented proof of the NYPD's use of this kind of surveillance technology was the court documentation that several civil rights organizations filed because of medical concerns over the use of radiation tools on the public. Another piece of technology that is of concern is called a "stingray tower." A stingray tower appears identical to a cell phone tower but is used to track and record cell phone conversations and locations.

One of the most pressing concerns organizations have regarding this technology is where the data that is obtained goes. The primary worry is that the information acquired through technology funded by the federal government will go to agencies such as ICE and be used to target New York immigrant communities. This is not an unsubstantiated worry; there have been cases in several states in which police agencies received funding from the Trump administration and gave ICE information obtained from surveillance tools.

Interestingly enough, because the POST Act is also in some ways about the fight against unjust federal oversight, there is a diversity in the kinds of organizations in coalition together. I am specifically referring to the Tenth Amendment Center, whose founder and executive director, Michael Boldin, is listed as an extremist in the Southern Poverty Law Center database. The POST Act is something that crosses political diversion that would otherwise separate civil rights organizations.

In its basics, the POST Act ensures that the NYPD submits a surveillance impact and use policy about these technologies. The policy would include descriptions and capabilities, rules, processes and guidelines, and any safeguards and security measures designed to protect the information collected. Once the police have submitted the impact and use policy documentation, the public would have a period of time to submit feedback. Currently, there is no documentation at all of how many of each surveillance tool has been bought or what the risks are to have a police force use such technology on the public; the POST Act is a start to creating more awareness of what tools law enforcement uses.

I believe that government employees, including both politicians and police, are servants to the people. It is their primary function to serve and protect the citizens of New York. The police argue that their use of surveillance technology is for the good of the people; that the technology is used to fight crime. NYPD Deputy Commissioner John Miller specifically cited concerns of terrorist activities in New York when presenting to the Committee of Public Safety. It may currently be the case that the NYPD needs surveillance technology to stop terrorist activities, but the POST Act does not force the police to reveal specific details regarding current investigations nor does it stop them from using this technology. The main counter-argument for this legislation is the danger posed in describing the technology and its capabilities. However, the inherent danger is that those who are not terrorists are targeted by this technology. This legislation ensures that the public is aware of the safeguards and security measures in place and can submit feedback if they find these measure unsatisfactory. In my mind, when government agencies have previously betrayed the trust of those they are sworn to protect (in this case, by spying on the Muslim community), it is very necessary to have the transparency the POST Act delivers.

At CAIR-NY, my role as the Government Affairs Fellow was to contact City Council members to explain the importance of the Act. Much of my work revolved around calling the individual offices of City Council members to try and set up in-person meetings with the districts' Legislative Directors. Over the course of late July to mid-August, I individually met with five Legislative Directors, directly secured the co-sponsorship of Council Member Carlos Menchaca, and helped coalition efforts for three other Council Members to also co-sponsor the POST Act. The week after I left CAIR-NY a total of 26 Council Members had co-sponsored the POST Act, which is over half of all members. If eight more Council Members co-sponsor the Act it automatically triggers a public hearing - but even at its current number of co-sponsors, the legislation would pass.

The POST Act was a project that many organizations in coalition were trying to pass, but there were several other projects that I also worked on. The most important was a project I coined the "Masjid Poll Site Project" (Masjid is the Arabic word for mosque). Soon after I arrived at CAIR-NY, the Executive Director, Ms. Nasher, explained to me that there was not a single Masjid polling site in New York State; it became my goal to find a site that could become one. Creating a poll site inside a Masjid does not directly combat hate – it is not what I would consider a reactive action. This project is what I would call community-based. However, community-based is not separated from hatred; in fact, this project tries to heal the wounds that hatred has inflicted. Many people in the Muslim community completely separate their faith from civic activities. When a Masjid plays the dual role of place of worship and government facility, a connection is made between the two. In the Muslim community, there is a fear and distrust of the government (that is not to say that the Muslim community does not vote, virtually everyone we

meet was registered). By creating a Masjid Poll site, we were trying to destroy those negative feelings.

Another benefit of having a Masjid poll site is that it allows interactions with non-Muslim community members. If a Masjid became a poll site, then all community members, Muslim or not, would have to vote at that location. In the mind of Ms. Nasher, this would destroy many of the stereotypes that citizens may have of Muslims: stereotypes that are the deadly beginnings of violent action against a group.

In one week, from July 28th to August 4th, two Council Members signed on to the POST Act, the Brooklyn Board of Elections had reviewed a potential Masjid location, and three mass shootings occurred. None of the shooters specifically targeted the Muslim community, but several colleagues of mine who wore hijabis felt scared in public. One colleague of mine, Kay El-Moussaoui, who was an Americorps Vista, explained to me when she first decided to wear a hijab as a teenager her parents were fearful for her, and she experienced a huge amount of discrimination. One of the most common occurrences were people who believed that Ms. El-Moussaoui was not able to speak English and was uneducated. In reality, she has multiple bachelor degrees and is fluent in three languages. While this kind of discrimination is not directly violent hatred, it is a symptom of it.

Imagine the same person who believes that veiled women are uneducated sees dozens of hijabis at a polling site. All of the employees at CAIR-NY that I interviewed believe that hatred is learned. If that is true, then it can also be unlearned. That is to say, the human mind is ever-changing and the daily interactions that people have with each other are vital to that change. My colleagues view most Islamophobia as a hatred that is developed distantly, in that Islamophobia can grow through the influence of the media, politics, or racist sentiments. The Islamophobia that

CAIR-NY is focusing on in this case deals primarily with a mix of those influences, but not physically violent hatred. No one at CAIR-NY expects one poll site would make a difference to someone who wishes to carry out violence. In fact, when trying to search for eligible poll sites, a large concern was the safety of worshipers. Particularly, the worry was about random strangers who mean harm walking into the Masjid. This concern was a major issue for Ms. Nasher, but was not discussed at all with the Board of Elections. There is a potential risk of inviting strangers into a vulnerable community. However, this is a risk that leaders of the Muslim community are willing to bear.

The normalization of Muslims voting inside the community and out is a vital step for building trust and support between the American government and the Muslim community. I am happy to report that on August 15th an employee of the Brooklyn Board of Elections informed me that because of my advocacy, the BOE commissioners were most likely going to sign off on the creation of a poll site at the Bath Avenue Muslim American Youth Center, one of the potential sites I had visited.

Another community-based project I worked on was to decipher what regulations were in place regarding language interpretation at poll sites. In several past years, members of the Muslim community have reported to CAIR-NY and other nonprofits that interpreters had been blocked from helping those who needed language assistance. If there are any issues with someone voting, they are far less likely to want to pursue the issue or vote again. And in a place as diverse as New York, there should never be a problem with language assistance. After weeks of contacting the Board of Elections, I was finally informed that according to the *Board of Elections in the City of New York Basic Poll Worker Manual 2018-2019*, any individual who is not the voter's employer, union representative, poll watcher or candidate can assist a voter.



However, they must agree to the Assisted Oath and have their name, address, and relationship to the voter recorded. A BOE employee also informed me that the Assisted Oath did not apply to family members or young children, although I could not find that statement in any published materials. The same employee also informed me that the only reason a poll watcher would try and stop someone from taking the Assisted Oath is if they looked suspicious. However, this employee did not clarify what the BOE considers suspicious. Many Muslim individuals are unfairly targeted because of their appearance. It is not a great leap to think that unfair targeting could happen to an individual trying to interpret for many community members.

In the future, CAIR-NY plans to create a public awareness campaign regarding the Assisted Oath, but there are also several government agencies involved in language interpretation. For one, the Board of Elections provides ballots in several different languages, as well as its own interpreters - but there have been some key languages left out of the Board of Elections efforts. To help alleviate the problem, the Mayor's Office of Immigrant Affairs stepped in to provide several other language interpreters. Because MOIA's interpreters were separate from the BOE, they also had to swear the Assisted Oath. However, MOIA's voting interpretation operation will soon be taken over by the New York City Civic Engagement Commission. The Civic Engagement Commission is not even a year old but it plans to build upon MOIA's efforts in voting interpretation. Although I was in contact with the Commission's Executive Director, Dr. Sarah Sayeed, and attended all of the Commission's public meetings, the Commission is so new that they have yet to decide on any concrete ideas in regards to language. But because of my efforts, the Commission is now aware of CAIR-NY and may contact us in the coming months for community feedback and support.

Virtually everything I personally worked on at CAIR-NY was not directly fighting back against hatred. My own work was more subtle and dealt with long term legislation and attitudes that affect Muslim Americas. Both my coworkers Mr. Ahmed and Ms. Nasher expressed the sentiment that the way Muslims are depicted and described in television can be devastating for the community. Language and imagery are not only important in fiction, where many Muslims are depicted as terrorists, but also in reality. Ms. Nasher specifically spoke about the word *Jihad*, which literally means striving towards a praiseworthy aim, and its usage in American media. There is a question if a word such as *Jihad* should be used instead of an English equivalent. To be frank, I am not sure I agree with this idea. Many terrorists who used Islam as a reason for violence declared themselves *Jihad*, as did ISIS when it controlled Iraq and Syria. I believe a better solution would be to make sure those who use the word understand it's context and what would be the correct usage.

Nonetheless, language is vital to society, and when a group is solely judged based on the media's language, there can be long-lasting cultural consequences. Even if a child is not raised to be hateful, if they consume media that depicts a group solely in a negative light that child is much more likely to develop to bias. The most basic level bias can lead directly to discrimination. But bias is also the first level of where deeply saturated violent hatred comes from. When the media does not change its messaging and therefore public perception stays the same, then the only line of defense comes from government regulation—is why the majority of my work revolved around city government agencies. Law protects individuals in a way that public opinion never can.

