

Introduction

We have much to be proud of in the Commonwealth of Massachusetts. Its historical role in the development of the revolutionary movement and the fundamentals of our system of governance make it the home of the Freedom Trail. As the home of the first college and first free public school in the colonies that became the United States, it has played a pioneering role in education. What later became enshrined as the First Amendment right to freedom of expression was nurtured in the Commonwealth by the first English-speaking commercial printing press in North America and the first regularly-issued newspaper. It presented itself to the old world as an exemplary “City on the Hill.”

The spirit of innovation and inquiry continues to enrich our six and a half million people, one in eight of whom is foreign born. Boston has played a pioneering role nationwide in the development of “community policing.” Our state legislature has given Massachusetts students the broadest free expression rights in the country. We are known throughout the country and indeed the world for the excellence of our universities, research institutions and hospitals. The training, treatment, and research opportunities we have made available to foreign visitors have fueled our economy and fostered a positive view of the United States abroad. Their presence, in turn, has enabled Massachusetts to become one of the world’s leading centers of science and learning.

Will we retain these distinctive qualities in the 21st century? What impact is the domestic war on terrorism having on Massachusetts? As a society, we hope to find ways to keep the country both safe and free. How do we achieve this balance? Are we on the right track to secure the Commonwealth and our unique strengths?

We can all agree on the need to safeguard the Boston harbor when liquefied natural gas tankers enter to offload at

the Distrigas terminal in Everett. We can all agree that it is important to improve communication and coordination among “first responders.”

But there is no overall agreement on how to apply for and distribute the billions of dollars in funds being made available by the federal Department of Homeland Security.

As a society, we hope to find ways to keep the country both safe and free. How do we achieve this balance?

There is confusion over what to protect — and from whom. According to *The Boston Globe* (January 30, 2004), 351 cities and towns in Massachusetts identified more than 500 potential terrorist threats in their applications for funding, while the State Police identified only 30. “Some rural jurisdictions reported having more potential terrorists than larger cities...Some localities cited groups that had no history of violence. In one case, a member of a motorcycle gang made a local list of threats.”

To date, there has been no assessment about the impact of the methods being used to fight terrorism on our social and economic well-being. This report has been compiled in hopes of fostering a discussion about what the war on terrorism has meant for people and institutions in Massachusetts and how we can balance security and liberty in a manner that preserves what is best about our constitutional system and the Commonwealth. It does not attempt to be comprehensive, but rather serves to introduce a subject that calls for urgent public attention.

I. THE CHANGING CIVIL LIBERTIES LANDSCAPE

Since the attacks of 9/11, civil liberties and, at times, the rule of law itself, have seemed on shaky ground. The USA PATRIOT Act, passed by the US Congress in late October 2001 without going through all the usual legislative procedures, contains provisions that expand executive branch power and undermine judicial oversight in a manner at odds with vital constitutional checks and balances.

Some portions of the Act represent much-needed reforms in our ability to translate, analyze and act on intelligence in a timely manner. But other provisions give the government broad new powers to monitor individuals and organizations without any evidence of wrongdoing and to detain indefinitely non-citizens without ever showing that they are guilty of a crime. Congressional opposition to portions of the Act has increased now that Members of Congress see that the legislation they originally supported to fight terrorism is being used in all sorts of criminal investigations, enabling law enforcement to make an end run around the Fourth Amendment's requirement of "probable cause."¹

The secrecy surrounding the implementation of the USA PATRIOT Act keeps us from knowing how widely its various surveillance, information-gathering and detention provisions are being used. Last year we were told by Assistant US Attorney Michael Ricciuti, head of the Boston Anti-Terrorism

Task Force, that "sneak and peek" warrants permitting the secret search of homes and offices had been used three times in Massachusetts: once in a terrorism investigation and twice to investigate "other criminal activity."²

The PATRIOT Act's gag provisions — barring disclosure of FBI visits and seizure of information — contribute to the lack of transparency and accountability that the government maintains is essential to its prosecution of the domestic "war on terrorism." But the USA PATRIOT Act is only part of the problem. Attorney General John Ashcroft's October 31, 2001 order permitting the monitoring of communications between lawyers and federal detainees has nothing to do with the PATRIOT Act. Neither do new FBI guidelines, announced on May 30, 2002, that free the agency from many of the restrictions imposed in the 1970s to keep it from spying on innocent Americans.

Executive orders, new immigration regulations and the new rigid enforcement of old rules have all helped transform the civil liberties landscape, often in frightening ways. The government sidestepped our constitutional system when it assumed the authority to strip American citizens of their fundamental rights and detain them indefinitely in legal limbo as "enemy combatants," without being made to produce hard evidence to substantiate their claims. And it has dispensed

with the rule of law altogether in its notorious Guantanamo detention policy. Five of the uniformed military attorneys appointed by the Pentagon to represent some of the detainees in forthcoming military commissions filed a Supreme Court brief in January 2004 that calls the Bush administration a "monarchical regime" that has created "a legal black hole" in which one person, the president, has the power to prosecute, try and execute sentences." (*Boston Globe*, January 15, 2004).



In Massachusetts, we are fortunate in the commitment to constitutional principles shown by our governing bodies. For instance, the state Supreme Judicial Court ruled on March 5, 2004 that police acting on the basis of vague post 9/11 anti-terrorism alert cannot compel motorists to stop and be interrogated without warning. The state legislature declined to go along with a proposal to bar citizens from countries with reported ties to terrorism from attending Massachusetts colleges and universities.

In theory, Massachusetts residents should feel doubly secure in their rights. They can call upon the protections afforded by the US Constitution's Bill of Rights and those under the expansive Declaration of Rights enshrined in the Massachusetts State Constitution.

Massachusetts residents who are not citizens should enjoy many fundamental constitutional rights. For over a century, the US Supreme Court has ruled that non-citizens are "persons" under the Fifth and Fourteenth Amendments, entitled to freedom of expression, association and religion, as well as equal protection and due process under the law. In its 2001 ruling in *Zadvydas v. Davis*, the Court cited with approval a 1953 Supreme Court decision holding that "aliens who have once passed through our gates, even illegally, may be expelled only after proceedings conforming to traditional standards of fairness encompassed in due process of law."

The constitutional abuses are not as blatant here as in certain other states. But the well-being of our Commonwealth's residents and institutions is being harmed by measures that violate privacy and chill dissent, by ethnic and religious profiling, and by a zero tolerance enforcement of immigration laws. And now the words of US Supreme Court Justice William O. Douglas have a special resonance. As the nation was dealing with the excesses of the Watergate scandal and FBI spying on literally hundreds of thousands of Americans through its Counterintelligence Program (COINTELPRO), he wrote to a group of young lawyers:

"As nightfall does not come all at once, neither does oppression. In both instances, there is a twilight when everything remains seemingly unchanged. And it is in such twilight that we all must be most aware of change in the air — however slight — lest we become unwitting victims of the darkness."³

Violating Privacy and Chilling Dissent

Professor Christopher Pyle teaches constitutional law at Mt. Holyoke College. As an army captain during the Vietnam War, he taught constitutional law at the US Army Intelligence School, where he learned that plainclothes army intelligence agents were spying on anti-war and civil rights protestors. He blew the whistle on the illegal practice in two award-winning articles in 1970.



Professor Christopher Pyle

Now he says, "I have never been more worried. I was not nearly as worried when I was on Richard Nixon's enemies list, or when COINTELPRO was exposed. What we're seeing is something much larger in scale and danger than anything that occurred in the 1950s and 60s. That's because of computers."

The Pentagon's Total Information Awareness Program, which would gather as much information as possible on everyone and use data mining techniques to look for "patterns of terrorist indicators," has not thus far been funded by Congress. But the notion that terrorism can be fought through the creation of giant databases with no accountability to the public about what they contain and how they are being used is alive and well.

Soon, when you book a plane, all of your files will be scrutinized by CAPPS II (the Computer-Assisted Passenger Pre-Screening System) which will give a color-coded security risk on the approximately one million Americans who travel each year. Now, when you open a new bank account or

carry out a transaction with some kind of financial institution, you may find yourself blocked by a SARS (Suspicious Activity Report). The USA PATRIOT Act mandates that a range of private businesses and even universities assist with the government's intelligence gathering or face fines and other penalties. Even if they have no reason to suspect you of wrongdoing, under section 215 of the PATRIOT Act, your credit card records, or medical records, or library records can be among the "tangible things" secretly seized by the government as part of an ongoing terrorism investigation.

In our high tech age, it has never been easier for intelligence agencies to compile and share files. Under relaxed FBI guidelines, they can trawl for all sorts of information on the Internet. Lexington High School students were amazed to find that signing up on the web to participate in an anti-war demonstration put them on the government's radar screen (see page 15).

"I came to this country to get away from that kind of thing."

What will it mean for freedom of expression if demonstrators know surveillance photos are routinely being taken of them and stored by police, as anti-war protestors discovered was happening in the City of Worcester? Or if campus police in universities work secretly for the FBI, as they do at the University of Massachusetts at Amherst? Iraqi-born Professor M. J. Alhabeeb, who is now an American citizen, was visited by the FBI after it was alleged that he had made an "un-American" comment: "I came to this country to get away from that kind of thing," he told *The Boston Globe* (November 24, 2002). Another UMass professor, Ann Withorn of the Boston campus, was visited by a state trooper after the Massachusetts TIPS line was called by someone who didn't like what she wrote in *Sojourner Magazine* (see page 19). In Massachusetts, and around the country, non-citizens like the Palestinian activists Amer Jubran and Jaoudat Abouazza, who express views critical of US foreign policy, have been targeted for arrest and deportation.

A further example of efforts to chill speech since 9/11

occurred in the wealthy Boston suburb of Newton, where local officials have invoked the USA PATRIOT Act in an effort to block a controversial program on the local public access channel.

The controversy arose when a Newton resident requested that the NewTV begin televising "Mosaic: World Views from the Middle East," a show that compiles segments of newscasts from 15 different Middle Eastern countries. The show's California-based producers, an Israeli Jew and a Palestinian American, say that "Mosaic" offers a unique perspective on how the United States is seen by other countries. It currently is available in 20,000 homes throughout the United States.

Opponents of the program, however, say that it is anti-Israeli and anti-American. But they didn't stop with mere criticism. Asserting that portions of the broadcast allegedly included newsclips from Hezbollah, which has been designated by the State Department as a "foreign terrorist organization," Newton alderman Robert Gerst has asserted that editing and airing of the broadcast provides "material support" to a terrorist organization, punishable by a \$500,000 fine or 10 years imprisonment.

While there is room for disagreement with the views shown on "Mosaic," the notion of criminalizing the broadcast of unpopular views in this way is a clear infringement of free speech and a disturbing development in the domestic war against terrorism.

Ethnic and Religious Profiling

Since the immediate post 9/11 period, when over a thousand people were rounded up as "special interest" suspects, targeting by religion and national origin has been the government's weapon of choice in the war against terrorism. In the media, on the streets, on airplanes, in housing, schools and employment, Muslims, Middle Easterners and South Asians have been subjected to slurs, discrimination and hate crimes.

"All Muslims should leave town...pack up in a caravan and leave, go back to wherever they came from," declared the host of the Boston FM program "Matty in the Morning" on May 21, 2003. A few months later, in July 2003, Saurabh Bnalerao, a UMass/Dartmouth student from India who was

working as a pizza delivery man in New Bedford, was told to “go back to Iraq” as he was beaten, burned with cigarettes, bound with a rope, stuffed into the trunk of a car and then stabbed after he escaped.

Other responses to the presence of Muslims or people who looked Middle Eastern have been more “law-abiding.” In May 2002 police, fire trucks and the bomb squad converged on BJ’s Wholesale Club in Stoughton after Muslim men were sighted praying at sunset.⁴ That same month in Brookline, police and school officials convened a news conference to address an alarmed public after reports that men of Middle Eastern appearance carrying maps were spotted at neighborhood schools. They had been speaking with school administrators in Brookline and Newton to help decide where to move with their families.⁵

Official government policies have helped create a climate in which all Muslims or people who look like they may be from the Middle East are seen as potential terrorists. The poorly-publicized and discriminatory Special Registration policy, which required male visitors, aged 16 and older, from 25 Muslim and Middle Eastern countries as well as North Korea to be fingerprinted, photographed and interviewed and have their financial information copied, has been profoundly unsettling to targeted communities.

It is but one aspect of a government focus that is illustrated by a January 27, 2003 FBI directive: that all field supervisors should count the number of mosques and Muslims in their areas and use this information to establish a yardstick for the number of terrorism investigations they are expected to carry out. This directive ignored the fact that the FBI caught no terrorists when it sought out 8,000 Middle Easterners and Muslims to interview in the months following 9/11. Moreover, the interviews did nothing to forward the war on terrorism according to a report issued by the Congressional General Accounting Office on May 9, 2003. Instead, the interviews may have had “a chilling effect on relations between the Arab community and law enforcement.”⁶

This certainly seems to have been the case in Massachusetts. The number of interviews carried out by the FBI is unknown, but judging from local reports, it must be very high. Apparently ignorant of how Muslim organizations function, local intelligence agents appear to have embarked on extensive “fishing expeditions” for information. According to

more than one account, some people have been told that if they don’t agree to give information to the FBI, their ability to stay in the country will be compromised.

Dr. Yousef Abou-Allabon, a psychiatrist and medical director at Boston Healthcare, weighs the cumulative impact of all the forms of official and informal profiling endured by Muslims: “The impact on the community is far-reaching. I am more careful. I am scared when my wife is late. Feeling vulnerable has an impact on productivity. People become more seclusive — scared of talking, scared of donating to charities. They are scared of just writing checks. They are very scared of being active or of speaking out in any way. People don’t understand that things can be changed by voting. They just fear things will get worse and worse.”

“They are scared of being active or of speaking out in any way.”

An American citizen who was born and raised in the Middle East and is familiar with how fearful life can be in many Middle East countries, Dr. Abou-Allabon wants to believe in American freedoms, but is not sure he can afford to. “The way they do it in the Middle East is a very ugly way,” he told us. “Here they do it in a clever way — they let you speak up, collect the data, wait until you say something emotional, then put it in the paper and arrest you.”

Zero Tolerance enforcement of immigration laws

“Let the terrorists among us be warned,” Attorney General John Ashcroft intoned in an October 25, 2001 speech before the US Mayors conference. “If you overstay your visa — even by one day — we will arrest you. If you violate a local law, you will be put in jail and kept in custody as long as possible. We will use every available statute. We will seek every prosecutorial advantage. We will use all our weapons within the law and under the Constitution to protect life and enhance security for America.”

True to his word, the Attorney General and the revamped immigration bureaucracy housed in the massive Department of Homeland Security have undertaken a rigorous new approach to the enforcement of immigration laws. He has

even pressed into service a 50-year-old regulation long ago abandoned as unworkable, which makes it a deportable offense to fail to notify the immigration authorities of a change of address within 10 days of moving. With the slightest infraction of the rules now grounds for arrest and deportation, Attorney General Ashcroft has encouraged the Bureau of Immigration and Customs Enforcement (ICE) to detain and deport not just the “terrorists among us” who have overstayed their visas by a day, but tens of thousands of otherwise law-abiding non-citizens.

In the past, people who overstayed their visas or were out of status for other reasons — which often included the failure of the INS to process paperwork in a timely fashion — were rarely put in detention, but usually allowed to leave the country voluntarily. Legislation which became law in 1996 mandated the deportation of immigrants who had been convicted of a crime, no matter how long ago it occurred or how clear the evidence of rehabilitation.

Now all categories of offenders, both civil and criminal, as well as asylum seekers who have failed in their claims, are in danger of being arrested. They are either immediately deported or detained in prisons for months, sometimes for more than a year, in conditions that make it difficult for them to communicate with the outside world, mount a legal defense, or even to be located by their families. In keeping with the post 9/11 resort to secrecy in so many federal transactions, detention centers and prisons are no longer giving out the names of immigration detainees.

Boston leads other cities in hunting down non-citizens with criminal convictions, according to the December 17, 2003 *New York Times*. In an April 6, 2004 *Boston Globe* article, Bruce E. Chadbourne, director of ICE’s New England field office, states that these arrests were a way of “protecting the American homeland and the American people...We were able to get some very dangerous people off the street.” But don’t assume these were suspected terrorists. As reported in the article, their crimes ranged from the “most serious” one of assault and battery to driving under the influence.

Meanwhile, the Attorney General is ordering the names of violators of some categories of civil immigration law — including “absconders” with final deportation orders and foreign students with Student and Exchange Visitor Information Service (SEVIS) irregularities — to be entered into the

National Criminal Information Center (NCIC) database which police access when they make routine traffic stops. Up to 400,000 “absconders” are being targeted in the Bureau of ICE’s “Operation Endgame.” These include people who have been victimized by the INS’s notoriously flawed record keeping, including those who may never have received notices to appear before immigration judges and were ordered deported after they missed their hearings.

“My life is in shambles”



“I work five jobs to meet all the bills and fight for my husband. I am so tired.” Like many other American family members, Teresa Ramos has been fighting her husband’s deportation for overstaying his visa. She has paid tens of thousands of dollars to attorneys who, she maintains, missed crucial filing deadlines and “preyed on our innocence and fears.”

The “zero tolerance” enforcement of immigration law is straining the social fabric in ways that are only occasionally glimpsed by the public. Initially it seemed to be aimed mostly at people with Middle Eastern backgrounds. Cindy Rodriguez wrote an article in *The Boston Globe* on April 18, 2002 about the arrests at 5 AM of Elias Sawan (aged 77) and his wife Antoinette (aged 64), who have lived in the country for 18 years and faced deportation with their three sons as “absconders.” The article cites cases involving other hard-working Lebanese immigrants who have to make the wrenching decision about whether to leave their American-born children behind. *The Boston Herald* on March 25, 2003 described the arrival of seven or eight agents of the Department of Homeland Security, FBI and Everett police at the

home of elderly Ali and Najah Ali, owners of Angelina's sub shop in Everett. The intruders, who demanded proof of citizenship, wandered around their house peering in closets. They never showed them a search warrant or gave them an explanation for the early morning visit.

But immigration laws are not just being strictly enforced against those with a Middle Eastern and/or Muslim background. Since 9/11, people from all areas of the world have felt the impact of new enforcement policies, with devastating consequences for these communities. Immigrants have become the latest target in the government's war on terror.

Bishop Felipe Teixeira, the pastor of two churches in Dorchester and Brockton, is currently trying to help approximately one hundred families, many with American children, who are struggling to stay together. Most came here from Portugal, Brazil and Cape Verde. "Immigration enforcement has changed drastically since 9/11," he says. "It is affecting how police are doing their work and who they are going after. Their profiling of people who look like immigrants has made the racism in this society more obvious than before 9/11. They think they are being heroes by going after people who may be terrorists. And before 9/11 we could talk to an immigration judge and perhaps they would give some discretion. Now everyone has to be deported. In my community, we have several families who are heartbroken."

Bishop Teixeira worries that instead of focusing on crime and making the streets safe, local police are beginning to do the work of civil immigration law enforcement, which is greatly enhancing feelings of insecurity. "People who are working hard and paying taxes are not being protected at all. They are afraid to call the police when they need help."

In those few cases that do get public attention, judges seem more inclined to use the kind of discretion that is increasingly rare in immigration law enforcement. Edna Borges, a 22-year-old mother of two in Dorchester who came to the US legally at the age of two, had a 10-day-old daughter when she was arrested by the Bureau of ICE and faced deportation for a 1999 shoplifting conviction. After *The Boston Globe* featured her plight and personal transformation in an August 7, 2003 article, an immigration judge ordered that she be released from detention, reunited with her baby, and that the removal order against her to be dropped.



Bishop Felipe Teixeira

Publicity and public support have enabled "overstayer" Fausto Mendes da Rocha, the founder of the Allston-based Brazilian Immigrant Center, and "absconder" Obain Attouoman, a popular Fenway High School math teacher, to

carry on with their productive lives in Boston. But at the time of writing, both still face the threat of deportation.

But for most of those who are picked up from their homes, or from the streets, there is little opportunity for discretion to be exercised, no matter how wrenching their personal circumstances. The family members we interviewed described their descent into a Kafkaesque legal labyrinth following the intrusion of federal agents into their lives. Denied information about the whereabouts of their loved ones as they were shifted from prison to prison, they told of working three or more jobs to pay expensive lawyers who sometimes then gave bad advice or failed to meet court deadlines, dooming their efforts to reunite their families. Some of their husbands were being deported for things they did 20 years before. One was facing deportation because of a charge that had in fact been dropped by court. Family members felt isolated and desperate.

The situation will be considerably worse if the Clear Law Enforcement for Criminal Alien Removal (CLEAR) Act (H.R. 2671) and its companion Homeland Security Enhancement Act (S. 1906) become law. This Congressional legislation would erase the traditional distinction between civil immigration violations and criminal violations and turn state and local police into enforcers of immigration law. It has been opposed by police chiefs across the country, including former Boston police commissioner Paul Evans, on the grounds that it will put an end to community policing and make our streets less safe. With the slightest infraction of the rules grounds for detention and deportation, and police enlisted in the hunt for "illegals," the self-proclaimed "Nation of Immigrants" could become a minefield for both documented and undocumented non-citizens in the years ahead.

II. The Cost to the Commonwealth of Post 9/11 Measures

At a time of budget stringency, choices have to be made in how we fight the domestic war on terrorism. We all agree on the need to protect the Boston Harbor. But how about a small dam in western Massachusetts? (see page 17).

Both our economy and the general well-being of the Commonwealth are being affected by post 9/11 measures in ways that are seldom publicly discussed. Those institutions and industries that give Massachusetts its national and international reputation have been particularly hard hit.

Hospitals & research laboratories

Partners International Program is a collaboration of five affiliates of the Harvard Medical School: Brigham and Women's Hospital, Massachusetts General Hospital, Spaulding Rehabilitation Hospital, Dana-Farber Cancer Institute and McLean Hospital. Its mission is to extend the benefits of medicine globally by attracting international patients and researchers to Partner hospitals and clinics and by sending specialists to work collaboratively abroad.

Since 9/11, strict new visa procedures with lengthy backlogs are taking their toll. It can now take six to eight weeks to get a visa, instead of a few days, and require personal interviews. According to Partners' executive director David Jones, US hospitals are losing their competitive edge as more and more patients seek health care closer to home. "A 30 percent reduction in the number of foreign patients who come here for treatment," he says, "has a considerable multiplier effect on the local economy, since they used to come for weeks with their families and retainers, stay at hotels, eat at local restaurants, take taxis and so on." These patients provide teaching institutions with the opportunity to learn about and treat a range of illnesses which do not necessarily occur in the United States.

Massachusetts' reputation for cutting edge medical research is likely to be badly hurt by the increasing difficulty of getting visas for foreign researchers who are, David Jones maintains, "tremendously important to our scientific enterprise." When a key member of a research team is denied entry, the work of the entire lab can be hurt. The onerous process of getting into the United States, and the suspicion

foreigners from some countries face when they are here, has created "a wave of bad feeling about the country." According to the National Science Foundation, 53 percent of postdoctorate research fellows at Harvard Medical School, Harvard School of Public Health, and Harvard School of Dental Medicine are foreigners with temporary visas.

"Security is meant to secure something, those things we find valuable. And that is what we are in danger of losing."

Jones predicts a national shortage of nurses and difficult times for a hospital like Massachusetts General, where a third of the medical staff are foreign born. "But the main thing that suffers, far beyond any immediate economic impact, is our claim to be the source of innovation. We have benefited enormously by being able to attract bright people from all over the world. If we can't, we are going to be poorer in every way I can imagine. We need diverse perspectives, in the lab, and in clinics. Many people come here not because they can make more money, but because of the constant intellectual stimulation that comes from interacting with people from diverse perspectives. We benefit so much from diversity, and if we don't have that, where will we be? We talk about security concerns, but beyond life and limb, security is meant to secure something, those things we find valuable. And that is what we are in danger of losing."

His colleague Beth Nolan agrees that there must be a better way to balance security concerns and the openness and freedom that we value. But how can Boston function as a beacon for the world when, at Logan Airport's new Terminal E, they are building a prison cell to lock people in, but there is still no multilingual signage and no international meeting place where people new to the country can gather?

High tech industry

High tech research and business are crucially important to the Massachusetts economy. One of the 50 fastest growing companies in New England in 2000 was the Quincy-

based software firm Ptech. Founded in 1994, its Lebanese-American CEO Oussama Ziade had been featured on the cover of several business magazines. Ptech's "Enterprise Architecture" product was sold to Fortune 1000 companies and government agencies, including the Army, the Air Force, Congress, the Federal Aviation Administration, the FBI and the White House.

On December 5, 2002, its fortunes went into a tailspin. On that night, agents from the FBI, IRS and Customs Service entered its headquarters at the invitation of the Ptech management. Ziade and his Ptech co-founder James Cerrato had asked the government to review company files after Yasin al-Qadi, a Saudi venture capitalist who helped it raise start-up funds in 1994, was added to the list of individuals suspected of supporting terrorism in October 2001. Ptech's business dealings with al-Qadi had ended in 1999, and its management was anxious to have it "cleared" of any taint of wrongdoing. And so, on three occasions they called the FBI and offered to make all company records available to the Bureau. But, with the media lying in wait, when their invitation to visit was finally taken up, it was depicted as a terrorism-related "raid," making the innovative company an instant pariah.

In the wake of the media frenzy that followed, private customers withdrew their business from the company, but the government did not. Its software was immediately "cleared" by both White House Press Secretary Ari Fleischer and Homeland Security Director Tom Ridge. However, without any incriminating evidence ever being presented, a steady stream of "guilt by association" allegations continued to find its way into press and television coverage, while Ptech received well over one hundred pieces of hate mail.

Five days after the so-called "raid," the Quincy *Patriot Ledger* commented in an editorial: "The government needs to pursue possible terrorist-funding links. But it cannot do so recklessly. If something is developed out of the Ptech search, government investigators should say so publicly, soon, so that the principals and the employees of Ptech can know where they stand. If it turns out that there was nothing to this raid, it's an example of gross overreaching by the government, with no apparent concern for the effect on the target of the investigation. This is just the sort of abuse of

power that has been feared since the war on terror began and sweeping authority was given to government investigative agencies. If Ptech is clean, as it claims, and the investigation proves it, the company and its officers and employees deserve a full-dress public announcement of the government's findings." ⁷

A year and a half later, no charges have been filed against the company or any of its employees. Ptech is still twisting in the wind, leaving us with troubling questions: Given the secrecy with which the domestic "war on terrorism" is being conducted, and the prevailing climate of suspicion, what is to prevent business competitors from initiating smear campaigns against high tech rivals that employ or are led by people from "suspect" groups? How, under current circumstances, could targeted firms hope to clear their names?

Schools and universities

Massachusetts is home to some of the best universities in the world. The economic, cultural, and social benefits these institutions bring to the Commonwealth when they are able to attract the best and the brightest are countless. Greater Boston's eight research universities provided a \$7.4 billion annual boost to the regional economy in 2000 alone. Our state ranks fourth nationwide in its success in attracting students from abroad, while Boston, with some 24,000 international students, ranks third, behind New York City and Los Angeles.

"If I was to look back now and remake my decision, I definitely wouldn't have chosen the US for graduate school."

But will Boston remain a "Hub of the Universe" in educational terms? "If I was to look back now and remake my decision, I definitely wouldn't have chosen the U.S. for graduate school." This sentiment, expressed by an international student in Boston, is widely shared by foreign students in Massachusetts who have experienced the harsh realities of studying in the United States in the post 9/11 world.

Some students have already decided to go elsewhere,

hurting our already fragile economy. Others have stayed, but under difficult conditions. Either way, the academic atmosphere since 9/11 has been noticeably strained for foreign students who face the brunt of the government's fears concerning national security.

When it became apparent that a number of the 9/11 terrorists entered the country on non-immigrant student visas, the government moved to tighten visa rules for foreign students and to track students electronically through SEVIS (Student and Exchange Visitor Information System), first proposed in 1996 and implemented in January 2003. Many academic officials, who feel that an overhaul was long overdue, have welcomed procedures that are aimed at closing immigration loopholes.

At the same time, school officials fear that excessive government bureaucracy and ill treatment of foreigners is discouraging international students from coming to the US. Considering that nationally, visa holders represented 36 percent of all graduate enrollments in US science and engineering fields and that in the 2001-02 school year, some 583,000 international students were expected to add almost \$12 billion to the American economy, alienating foreign students can have disastrous consequences for our universities and our overall economy.

It used to take a foreign student with an admissions letter about a day to get a visa to come to the US and that student did not have to pay a fee. Since 9/11, students pay \$100 (and soon more) to get a visa, and a further \$100 to cover SEVIS costs.⁸ Given the huge backlog at the Department of Homeland Security, it can now take weeks or months to process an application. Applications from students from countries believed to harbor terrorism must answer questions like: "Do You Have Any Specialized Skills or Training, Including Firearms, Explosives, Nuclear, Biological, or Chemical Experience? If YES, please explain" and "Have You Ever Been in an Armed Conflict, Either as a Participant or Victim?"⁹ Applying to study in certain scientific fields can add more layers and weeks to the screening process.

At the receiving end, international student advisors are required by the Department of Homeland Security to enter detailed student information into dozens of fields in the computerized SEVIS system before a student is given

"People are literally afraid that if they don't pay a \$5 library fine, they could be deported."

clearance to enter the country. Once students register at the institution, any change in their majors, course loads, address, academic status or any disciplinary action taken by the university must be entered into the SEVIS system. If students are taking too few courses, or fail to maintain status for some other reason, "unlawful presence" or "visa overstay" can be triggered by the system, making that student liable for detention and removal. "People are literally afraid that if they don't pay a \$5 library fine, they could be deported," says Bilal Zuberi, an MIT student from Pakistan.¹⁰ The SEVIS system has been known to terminate students inadvertently and has failed to deliver the required clearance to border officials, resulting in problems when students arrive at ports of entry.

The expensive and time-consuming "real time" way of tracking students frustrates many advisors who wanted to work with foreign students, not monitor them for the government. Michael Mahan, Coordinator of International Student Services at UMASS/Boston where there are 800 international students to keep track of, says it makes no sense for universities to spend so much time and effort accounting for every aspect of students' lives, when they are only two percent of visitors coming into the country. "I feel very apologetic for my government," says Heather Kelley, a foreign student advisor at Berklee College of Music. "It is making students go through all these hoops -- for what?"

Citing a case where a student who was terminated for a serious reason was still able to get back into the country, Babson College international student advisor Amir Reza states: "SEVIS is not making the US any safer -- that's the bottom line. Officials are not trained properly at the ports of entry. They are free to make mistakes. But if a university or a student makes a mistake, there can be huge problems."

What do foreign students studying in Massachusetts think of the new changes? Rania (not her real name), a Sudanese student studying medicine in Boston, lost one year's worth of classes because of visa delays. After her first year of medical school, Rania traveled to Senegal to teach a

10-day workshop as part of her laboratory research on malaria. She then flew to Italy, where she is a legal resident, to reapply for her U.S. visa. When she arrived, she was told that because of recent security changes, she would have to undergo a background check in Washington, D.C.

"The worst part about it," Rania explains, "is that nobody could tell me how long this background check would take. I didn't want to leave my place in Italy or go back to Sudan to visit my family because I had to be next to the phone in case my visa came through." In the past, it used to take Rania about a week to get a visa, and sometimes she could get it on the same day. This time, it took her two months to renew her visa, and by the time she got back to Boston, her classes had started and it was too late in the semester for her to catch up. According to university policies, Rania had to take off the whole academic year, causing her enormous problems. "I lost \$1,000 in rent money alone since my lease had already begun on my new apartment but my stuff was still in the dorms while I was stuck in Italy. It's been an extremely frustrating experience, and if I hadn't already started school in the US, I would have gone elsewhere to study."

Waleed Farahat, a 28 year-old Egyptian graduate student at MIT, shares her frustration. In 2002, it took Waleed eleven weeks to get his student visa, causing him to



Waleed Farahat

miss the first five weeks of the fall semester. "Normally, it took me about six hours to get my visa. This time it took me almost three months and it would have been even longer if I hadn't had a connection at the American embassy in Cairo," says Waleed. "My

main concern at the time was that my advisor would get funding for a project that would need to begin right away and since I couldn't be there, he would look to get somebody else."

School administrators are helpless to do anything to hasten the visa process. "Once a background check goes to Washington, there's nothing MIT can do," says Danielle Guichard-Ashbrook, director of the International Students

Office and associate dean for graduate students at MIT. "We're not invited to be involved in the process in any way," explains Isaac M. Colbert, dean for graduate students at MIT. "We're told it's a matter of national security interests." ¹¹

And it's not just students that are affected. Mohamed Mahmoud, chair of the Comparative Religion department at Tufts University and a native of Sudan, was unable to return to the United States because of visa delays in 2002. Professor Mahmoud was on a sabbatical at Oxford University when he applied for his visa renewal. A colleague of his at Tufts sums up the irony of the situation: "From our perspective, it's particularly senseless that Professor Mahmoud has not been allowed to reenter the country. His scholarship on 'Islam and Modernity' is precisely what is most needed right now in American universities." ¹²

Foreign males sixteen years and over from the 26 "Special Registration" countries face additional pitfalls when they work or study in the US. In December 2002, six Middle Eastern students in Colorado were arrested when undergoing Special Registration for taking too few courses. Others have been trapped by the poorly-publicized requirement that they re-register at the airport or border crossing every time they leave the US. One Pakistani student at UMass/Boston, who forgot to do exit registration in the office hidden above the Northwest ticket counter in Terminal E, was detained overnight when he returned to Logan Airport. He was then sent back to Pakistan and had to re-apply for a visa, only to be turned down twice. He has now missed more than six months of study.

New visa requirements are discouraging students who would like to come here for prep school or to learn English. Ellyn Levine is the founder and President of the English Language Center, a private language school that teaches intensive American English to students from more than 70 countries. It



Ellyn Levine

has three main centers nationwide, with one in Boston.

"Since 9/11, enrollment in Intensive English Programs (IEPs) in this country has been down by forty percent," she

says. “Even though the value of the US dollar is down, students are going elsewhere – to Canada, Australia, and New Zealand – because they don’t want to deal with the new visa hassles.”

Ellyn estimates that IEPs used to be a \$2 billion a year industry in the US; the majority of IEPs are concentrated in ten major cities, with Boston/Cambridge being in the top three. The English Language Center used to have two major centers in Massachusetts, one in Boston and one in Cambridge. Now, because of the drastic reduction in enrollment, it had to close down the Cambridge center. “IEPs feed students into the American university system,” says Ellyn. “If IEP enrollment is down by forty percent, imagine the impact this is having on our universities. Switzerland used to be the place for boarding schools, and they lost their edge when they restricted their immigration laws. This is exactly what we’re seeing here in the United States.”



Tammy Kumin (above left) and **Joan Alfond** agree.

Tammy and Joan are the cofounders and Executive Directors of Concierge Services for Students (CSS), a Boston-based company that provides services for international preparatory school students studying in the New England area. “We’ve lost students to prep schools in the UK, Switzerland, Australia and elsewhere because of visa issues following 9/11,” Joan states. “What some of our students tell us is that they don’t mind the new visa process so much – what they don’t like are the harsh tactics of immigration officials.”

Tammy describes one 16-year-old Saudi student. “He was at Logan on his way home for Christmas break. During his ‘Special Registration’ exit interview, the clerk typing his

forms made a mistake and wrote that he had traveled to San Cabo, Mexico instead of writing San Diego, CA. Well, immigration officials at Logan then harassed this poor boy so much and threatened to arrest him for violating the terms of his visa. We finally had to get a lawyer from British Airways to sign an affidavit to clear his record, but by this time, he was shaking so hard and the damage was done.”

Another CSS student, a 15-year-old boy from Switzerland, was asked in the airport if he was seeking counseling. When he answered “yes” on the assumption that the immigration official meant private tutoring, the official wrote down that he was mentally unstable and staying at an institution. The family spent years and thousands of dollars to remove this from his record. The boy was so traumatized that he now has to travel everywhere with his dad.

“We understand that the government has to tighten immigration rules for students since 9/11, and we agree with what they’re doing,” says Tammy. “But that does not give the government the right to treat people like animals or criminals just because they are foreigners. America is making a big mistake by deterring families from sending their children here. As one Saudi father told me, the US government should want these students because when they come here, their minds open up, they see democracy, capitalism, new ways of thinking and doing. To close the door on these students means to deny them exposure to the US. And these are the very students that return to their home countries and become the rulers and key decision makers.”

For many foreigners, our schools and universities represent the best America has to offer. But when their experiences are tainted by hostile treatment and overly-rigid immigration rules administered by an overwhelmed bureaucracy, the message they take home is not a flattering one.

We in the Commonwealth do not, of course, have a final say about how to secure our borders. But we can reinforce messages already conveyed to Washington by Harvard president Lawrence Summers and Congressman William Delahunt, and press for clear, carefully-designed policies that make students feel they are welcome to study in the US, and are not being treated like criminal suspects while they are here.¹³ Our economic and intellectual future depends on it, as well as our nation’s standing in the world.

III. PERSONAL STORIES...

The stories we feature here illustrate some of the ways lives in Massachusetts have been affected by the post 9/11 climate and policies. For every person willing to speak out, there are many others who are too fearful to have their names used and their experiences made public.



Lexington High School students participate in an anti-war demonstration after the US Justice Department tipped off local police about their intentions (see story on the next page).

School warned by Justice Department of “anti-war activities in your area”

Eighteen-year-old Louie Joliat and sixteen-year-old Colin Downs-Dudley had studied the Bill of Rights during history and civics classes at Lexington High School. But the first time they went to exercise their First Amendment rights last March, they came face to face with the police.

As US troops mobilized to go to Iraq last spring, thousands of students came together to protest the upcoming war. Louie and Colin heard about efforts by the National Youth Student Peace Coalition (NYSPC) to hold a nationwide strike on high school and college campuses on March 5th and decided to organize an event at Lexington High. They met with Jim Williams, an award-winning math teacher and the faculty advisor for Students United for Peace. Together, the club decided on holding a teach-in at the school followed by a march after school to the downtown green. Hoping to invite all community members, Louie and Colin posted their event online on the NYSCP website, listing themselves as the contact people for the day’s events.

A few days before the teach-in, a school administrator pulled Louie out of class. He told him that the Lexington police had found out about the event on the Internet and wanted to make sure that there was no connection with terrorism. “I was shocked and surprised that they would investigate high school kids exercising their First Amendment right to free speech,” Louie recalled. “To even mention terrorism when we were just protesting going to war was ridiculous.”

Hearing of Louie’s experience, Colin voluntarily went to speak with a school dean. “Why is this such a big deal? We are just expressing our opinions,” he said.

Meanwhile, the school principal called Jim in to meet with a detective from the Lexington police and a campus policeman. They showed him a fax from the Justice Department warning the police department of “anti-war activities in your area.” The fax went on to “inform the police that two boys from Lexington High School are on the list” and that this “may not be related to terrorist activities,” remembers Jim.

“It was clear that the police felt pressured to do some-



LOUIE JOLIAT & COLIN DOWNS-DUDLEY

thing because they were contacted by the Justice Department. The principal and police were very friendly and supported our efforts, but they felt like they needed to do something and had to react in some way.”

On March 5th, the teach-in and march went on as scheduled, but with cops standing in front of the school entrance making sure no students from other schools attended and with the campus cop walking alongside the 100 protesters during the march. Although many heralded the day a great success, there was also a lot of angry backlash from parents and community members for allowing such an event to take place at school.

“Having lived through the Vietnam War, I couldn’t stand the level of violence of anti-war protesters and the evil portrayal of cops,” Jim said. “It seemed like the Justice Department was assuming that it would be the same thing all over again, that the cops would be pitted against those with an opinion. I don’t feel good knowing that the Justice Department again feels that this is their role.”

And for students like Louie and Colin, attempts at practicing their right to free speech showed them the stark difference between theory and reality. “We feel a chilling effect. We feel like someone’s watching us, and we don’t know who it is.”

“The people you turn to for help – you don’t expect them to put you in danger”

It was a cold and rainy May day two years ago when Sumbal Raza drove down Route 9 in Shrewsbury to pick up her daughter from school. The mother of four children, she had a baby boy of five months and a two-year-old daughter in the car.

She never made it to school that day.

“I had pulled up at a stop light,” she says, “when I saw a police officer parked on the shoulder of the road. He kept staring at me while I was stopped at the light. He then drew up his car behind mine and pulled me over. For about 15 minutes I just sat there, while he stayed in his car. Finally, he came over and told me my driver’s license was suspended. I said it wasn’t. He told me to give him my driver’s license. He looked it over and then said, ‘whose car is this?’ I told him it was my husband’s. He then said that the car registration was expired and I would have to call someone to come and pick me up.”

The registration on the car was indeed out of date — by one day.

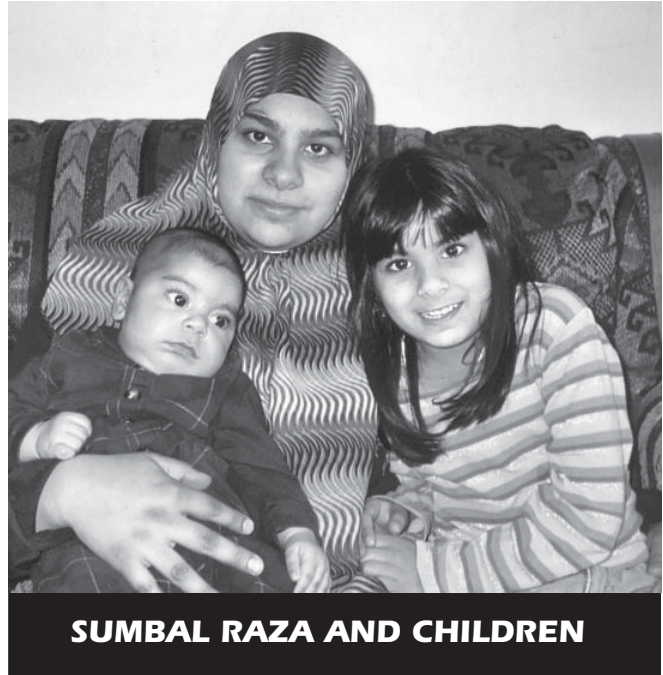
“I told him I didn’t have a phone, and he said I should go and find one. He told me to get out of the car.”

There she was, on the shoulder of Route 9, with cars speeding by, holding her infant son in his car seat and her small daughter by the hand. She stood there in the rain, in a state of shock, and wondered what to do, while the police officer called a tow truck.

“When the tow truck driver arrived, he didn’t seem happy about taking my car away and leaving me there. He told me he would offer me a ride, but the police officer wouldn’t let kids get in the front of the truck. After the car was towed away, the policeman gave me a \$100 ticket.”

Eventually Sumbal began to walk along the shoulder of Route 9’s divided highway. When she got to a beauty salon, she called her husband and her daughter’s school. The secretary at the school said one of the other moms would come and pick her up.

What was she thinking when she stood there stranded



alongside a busy highway? “I remember thinking, I’m an American. I should not be treated this way. This is my country too. I was shocked the whole time I was standing there. This is something I didn’t expect to happen in Shrewsbury, or in America. The police officer could have driven me home since I lived a mile away, or he could have driven me to a phone. Or he could have just given me a ticket. Since then I have found out that most people get fined when their car’s registration is out of date by a day or two. They don’t have the car towed. This was the first time I ever got stopped by the police. I never even had a single ticket before.”

How has this experience affected the family? Sumbal says, “You hear racial things happening in this country, but you don’t expect them to happen to you. Especially not with the police. The police are the people you turn to for help. You don’t expect them to put you in danger. After that when my older daughter saw a cop car, she started crying. After hearing what happened to us when we were on our way to pick her up from school, she now has a fear of the police.”

“What is happening to our country?”

Bald Eagles. Gulls. Ravens. Jack and Susan Wright never thought that their love of birds would be enough to qualify them as suspects of terrorism. Yet their experiences show just how easy it is for anybody to be caught by the government’s far-flung and undiscerning terror net, even bird watchers.



SUSAN AND JACK WRIGHT

On a cold, February afternoon in 2003, Jack and Susan decided to drive down to Barton’s Cove to see some gulls that their weekly paper had reported were in the area. Barton’s Cove is where the Connecticut River pools into a lake-like expanse near Turners Falls, a small town in western Massachusetts well known by bird watchers and nature enthusiasts alike. Barton’s Cove is also home to a small dam and is a favorite spot for picnickers.

When they arrived at the Cove, the Wrights pulled off the road and parked the car in a nondesignated parking area. Jack grabbed his binoculars and bird book and hopped out of the car to go see some ducks. Without warning, he saw two men in uniform come running towards him, yelling and waving their arms. “I assumed they were upset because I had parked the car in an illegal parking spot so I started heading back towards the car when they screamed ‘Don’t move. This is the police!’” recalls Jack.

Susan, meanwhile, was sitting in the car waiting for Jack to return when a police car pulled up behind her, blocking her in. “Wow,” she thought. “All of this for an illegal parking spot.”

The state trooper led the interrogation on behalf of the four or five local police and nature rangers present. “They repeatedly asked us what we were doing in the area. Were we with anyone else? Where were we exactly? They wanted

us to show them the exact spot,” the Wrights recount. “We explained to them that this was a famous spot for Iceland gulls and resident bald eagles. We flipped through pages of the bird book to show them the animals we were looking for, but it took awhile before they were convinced that all we wanted to do was look at

the birds and not blow up the dam.”

The police then told them that someone had reported a suspicious person walking through the area wearing khaki shorts and a dark, hooded sweatshirt. They asked Jack to make a footprint in the snow so that they could compare his footprint with that of “the suspect.”

Eventually, the Wrights were free to go, and on their way home, they came across someone they thought must be “the suspect” the police were looking for – he was a student taking pictures of the birds for his college photography class. “Later on, I remember thinking thank goodness the police stopped us and not this kid – even though he was not Arab looking, just because he was young, he could have gotten in a lot of trouble,” says Susan. “And if you were Arab and interested in wildlife, it would be awful – you would be arrested in a second for being interested in birds.”

This is not the only time the Wrights have been harassed by the police. They were recently stopped and questioned on two other bird watching trips in Massachusetts, and each time, they were asked not only what they were doing but to prove that they really knew their birds. “It’s like we had to take a pop quiz on birds to show we were innocent,” says Jack. “And to know that now we’re in some computer for dam-related activities is really scary,” adds Susan. “What is happening to our country?”

They hoped to do human rights work – so the FBI came to the door



YAJU DHARMARAJA

Yaju Dharmaraja is a man of action. When he and his wife decided to do human rights work abroad, he started making calls to find out about possible trainings to prepare them for the rigorous work ahead. He didn't realize his calls would make him a suspected terrorist.

In the summer of 2002, the Dharmarajas were looking into working in refugee camps in Africa, Asia or Latin America as disaster relief workers. When Yaju contacted agencies like the International Red Cross and World Vision to inquire about possible disaster relief trainings, he was told to contact the Federal Emergency Management Agency (FEMA).

In early July, Yaju placed a call to the Outreach Director of the Massachusetts Emergency Management Agency (MEMA), the state version of FEMA. He explained their interest in refugee and disaster relief work. She asked them what they did, and he told her how he was a union organizer and his wife was a documentary filmmaker. "The Outreach

Director again asked me why I was interested in their trainings," Yaju says. "I thought this was strange, and once again, I explained how we were interested in doing humanitarian relief work. She said okay, we'll send you the necessary materials, and that was it. In total, it was about a three-minute conversation."

Five days later, Yaju was at a meeting in Boston when he received a frantic telephone call from his wife. She told him that the Western Massachusetts FBI liaison and an Amherst police officer showed up at the door. They said they received a call from MEMA saying that terrorists wanted to take part, document and videotape their disaster relief trainings. His wife explained that this was crazy, that they were not terrorists, and that they just wanted to take the trainings to do human rights work.

The FBI agents then began questioning her on the organizations her husband was affiliated with and people that he associated with. She was very angry and repeated that this was crazy – they were not terrorists. She was able to convince them that they were innocent but when she asked if their names would be cleared, the police said no. They said that they would continue looking at their records and, though a lot of the phone calls they received were from government employees who were just scared and resorted to racial profiling, they still had to respond to every single complaint.

"In my opinion, this is a minor violation of my civil rights. I have had worse," says Yaju. "But what's scary is if you put this along with the PATRIOT Act and the impact the PATRIOT Act has had on the civil rights of permanent residents, documented and undocumented immigrants, and green card holders like myself. Under the PATRIOT Act, law enforcement has the full right to haul me away, put me in detention and interrogate me for no reason. Being a Sri Lankan Tamil and an activist in Sri Lanka is enough to get me deported. And my wife, who is an American, has no right to know of my whereabouts and my well-being. So this one person at MEMA who made a leap that I was a terrorist based on my last name, ethnicity and accent could have ruined my life."

“How many people are being visited, based on what reasons?”

As a writer and teacher at UMass/Boston, Ann Withorn is used to evoking strong reactions from people. But she never imagined that her writing would ever warrant a visit from the police on the grounds that she might be “involved in potentially dangerous activity.”

In April 2002, Ann wrote in the magazine *Sojourner: A Women’s Forum* about a time 30 years ago, in the wake of the Kent State killings, when she had contemplated terrorism. Her group, “The Red Coven,” consisted of anti-racist radicals, feminists, and anti-capitalists. They considered -- but rejected -- using bombs to achieve their goals.

In August 2002, state troopers Reilly and Favale came to Ann’s door. They explained to her that after 9/11, Massachusetts had established a hot line for anonymous complaints about “suspicious activity” under the mandate of the State Police Department’s Division of Investigative Services. Someone had contacted the hot line about her *Sojourner* article, and the troopers wanted to verify that she was not engaged in illegal activity.

She agreed to hear their questions. “Why did you write the article?” It was obvious from the article, Ann replied – she wanted people to think complexly. “Was the Red Coven still active?” If they read the article, they would see that the group was never “active,” she said. But she assured them that the Red Coven no longer existed.

And that was the end of the questioning. Ann was told that “a report would be filed as to the complaint being unsubstantiated,” and a copy would be kept on record.

Ann, however, was not done with the troopers. She told them that an anonymous complaint about a published article by a writer who made no attempt to conceal her identity should not generate a home visit – the first time unannounced. “To conduct such a face to face inquiry was



ANN WITHORN

inappropriate, chilling and threatening to free speech and freedom of the press,” she stressed.

While the officers said they understood, it was their job to “follow up on every call where a person could be identified.” They gave two examples: a Middle Eastern looking man who came to buy a used car and ended up not buying the car and two Middle Eastern looking men who were seen driving a Ryder truck on the expressway. While the troopers acknowledged that most people who received these personal visits were “understandably” upset, they had to check up on every complaint they received.

After the officers left, Ann wondered who was monitoring *Sojourner* and then lodging “anonymous complaints.” As the day wore on, she realized that she was more intimidated by the friendly threshold visit than she wanted to admit. “It was not a joke; it was deeply frightening,” she recalls.

“How many people are being visited, based on what reasons? What did it mean that there is a record of the result of each visit, no matter how innocent the investigatee? Who can access the records and for what purposes?” Ann thought more about John Ashcroft’s proposal to recruit four percent of Americans to report suspicious activity under the “Terrorism Information and Prevention Systems,” or TIPS plan.

“Most importantly, I remembered the deep fears that had been part of 60’s movements. By the end of that decade, we knew that our government lied in order to wage an aggressive, immoral war, that it paid people to spy on all protesters, and that it killed Black Panthers and others,” Ann said.

“My visit from the troopers brought back far more nightmares than my own article could ever generate. It should make us all afraid. And it should challenge us all to find ways to stand up for our rights to write and say unpopular things, to stop a war on terrorism that itself terrorizes people abroad and in the ‘homeland.’”

Saudi who comes to Boston for training is arrested, tried, acquitted and re-arrested

Essam Mohammed Almohandis had every reason to be excited.

The 33-year-old biomedical engineer from Riyadh, Saudi Arabia had just become a father for the second time on December 29, 2003. After a difficult pregnancy, his wife Trifaha was home from the hospital with their new daughter. Visitors were coming in and out of the house to see the baby and wish Essam a good trip overseas to the US. The following day, he was going to Boston to learn how to use the DNA equipment his hospital had recently purchased. It would be his first trip to the United States.

It had taken Essam eight weeks to get a visa to visit the US. He had been interviewed and undergone background checks. On his departure from Riyadh Airport, his luggage was checked four times — three times by an x-ray machine and once by hand. It was checked again when he changed planes in Frankfurt. On January 3, 2004, after an uneventful flight during which he had a pleasant conversation with an American who worked for the government, he landed at Logan Airport and his sense of well-being vanished.

“A customs officers examined my back pack. He took three small things from a side pocket and asked me what they were. I had never seen them before and had no idea how they got in my bag. They were about an inch long, yellow with a pinkish tip. I said ‘drawing pens.’ My wife did art at home, and they looked like something she might use. He said, ‘do you mean crayons?’ and I asked what that was — my English is not so good — and then said yes. I took one and tried to write with it and then I realized it was not a pen or a crayon. Then the tip of the one he was holding broke off and some powder came out. When he asked me ‘what is this?’ I had no response. I was very afraid. I thought it might be drugs. He then called the supervisor who was very angry. He didn’t give me a chance to explain anything. He said ‘you are lying.’ They took me to a room and questioned me for six hours. Then they said I was arrested.”

Essam spent two nights in a police station, and then 20 days in detention in Plymouth County jail, locked down for 23 hours a day “for his own protection.” In the beginning, he



ESSAM MOHAMMED ALMOHANDIS

Essam is pictured with investigator Andy Pevehouse (right)

says, “the treatment was very hard. They made me take all my clothes off, except my underwear, and kept me in a cell that way for eight hours. It was very cold. While I was there some of the guards harassed me by saying things like, ‘why don’t you call on Mohammed to help you?’ But one captain went out of his way to be helpful and kind. I was so worried about my family. I was worried about missing the training and losing my job.”

On January 13th, he was indicted for having three inch-long “incendiary devices” on a plane and for “lying to federal agents about the nature of the devices.” US Attorney Michael Sullivan’s office announced that the charges, which could bring him 15 years in prison and a \$250,000 fine, were being investigated by the FBI, the Bureau of Immigration and Customs Enforcement, the Massachusetts State Police and the Bureau of Customs and Border Protection.

To build their case, government investigators interviewed Essam’s fellow passenger, who said there was nothing suspicious about his behavior on board the plane. They also interviewed a Saudi co-worker, Mohammed al-Hayan, who had traveled with Essam as far as Frankfurt, and then caught a plane to San Francisco for another hospital training program. They admitted that there was nothing suspicious about al-Hayan, and that he was in fact very co-operative.

But they revoked Mr. al-Hayan's visa anyway and incarcerated the terrified visitor for five days because he had "traveled with" Mr. Almohandis. When federal public defender Miriam Conrad attempted to bring Mohammed al-Hayan back into the US to testify at her client's trial, the government refused on the grounds that the revoked visa meant he was excluded from entering the country. Meanwhile, her investigation for the case revealed that there had been several instances of firecrackers being seized at Logan the previous year, and a 15-year-old American who was discovered on arrival at the airport with firecrackers, fireworks, a switchblade, gunpowder, a hashish pipe and hashish had been given a \$500 fine.

The jury trial restored Essam Almohandis' faith in the US justice system. Conrad, his court-appointed attorney, spent long hours wrestling with US Embassy bureaucracy to arrange for other witnesses, including Essam's wife and father-in-law, to be allowed to enter the US for the trial. The expert witness for the defense testified that the suspicious objects were not incendiary devices, but noisemakers, that made a sound like a popping balloon. A government witness maintained that anything that could create a spark was an incendiary device. Essam's wife, who said she had never before seen the objects, described how she had packed his bag while visitors, including children, arrived at the house. Attorney Conrad introduced as exhibits artists' pastels that Trifaha used in her artwork, which resembled the objects found in Essam's bag.

After the jury acquitted him of all charges on Friday, February 27, 2004, a jubilant Essam hugged his lawyer and thanked the prosecutor, Assistant US Attorney Gregory Moffatt. He thought his ordeal was at an end. Miriam Conrad told him to go out and celebrate with his wife and prepare to leave the country the following Monday.

Eight hours later, shortly after midnight, she got a call from a stranger on her cell phone. He told her that a distraught woman who spoke only a few words of English had come up to him on the street with Conrad's business card in her hand.

Conrad discovered that Almohandis had been taken away by five federal agents who burst into the South End apartment where he was staying, and detained him for not

having a valid visa — it had been revoked at his arrest. "They entered the room with guns in their hands," Essam said in a phone call from Riyadh. "They told me 'you are under arrest.' I asked them, 'again?' They wouldn't let me talk to my wife who had no idea what was happening and was crying. They wouldn't let me call her father or my lawyer. They wouldn't let me take my passport or my wallet with me. I later found out my wife went to the street and then to the Prudential Center and looked at people's faces until she found a kind-looking man and asked him to help."

Conrad wonders, "Why didn't the government take him into custody in the courtroom where it would have been less disruptive — or, better yet, use discretion to let him depart with his wife early the following week? Don't you think they would want to end this matter with Almohandis thanking the people of the US and praising our justice system?"

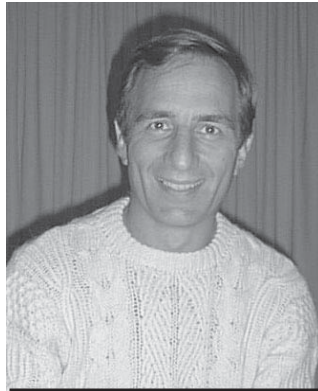
The prosecutor, Gregory Moffatt, must wonder the same thing. After Miriam Conrad called him at 1 AM to tell him of the arrest, he went to see Almohandis, apologized for what had happened and assured him he would be on a plane the next day. He also retrieved his wallet and passport, and took them to the airport with a letter explaining that their owner had been acquitted of all charges.

Would Essam Almohandis and Mohammed al-Hayan consider returning to the US if they got the opportunity to attend another training course? Right now, they don't have that option. It is likely that their visa applications would be automatically rejected because their visas had been revoked. Things are not easy for them in other ways. Some acquaintances are steering clear of them because they think they must have done something wrong. And they regret missing the training programs, which would have saved their hospitals considerable funds. But he refuses to be bitter. "I met many nice Americans, including an official at the airport who told me when I was leaving that he was sorry for everything that had happened to me. He was so different from those other airport officials, who were very inhumane during questioning and seemed to look at me in a bad way because of my country and my ethnic origin. But my impression is that most of the society is very helpful. I wanted to come to America to get knowledge, and if I were allowed to come back, I would not say no."

Brazilian biologist never makes it to Woods Hole



VERA REIS



I. FOSTER BROWN

Dr. I. Foster Brown does environmental research. A senior scientist at the Woods Hole Research Center in Woods Hole, Massachusetts, he is a NASA-supported Principal Investigator in the Large-Scale Biosphere Atmosphere Experiment in Amazonia, which is one of the largest international collaborations between the US and developing countries in global environmental research.

“We are facing environmental and health problems that are both global and growing,” he says. “If scientists can’t get together to exchange views and work together, our chances of coming up with solutions diminish significantly.”

Scientific credentials and the spirit of international cooperation counted for little when his colleague, 49-year-old Dr. Vera Reis, arrived at JFK Airport in New York on December 16, 2002 on her way to Woods Hole at Dr. Brown’s invitation. This Brazilian biologist, who runs a research lab and has her own environmental consulting firm, walked into a nightmare. She was accused of trying to smuggle into the US a young woman with falsified documents whom she had talked to briefly in the Rio de Janeiro Airport waiting room.

“I thought that I was passing through routine control when I was left waiting hours in a room with no drinking water or bathroom before being accused without the chance to defend myself,” Dr. Reis states. “They said they wanted to make a deal with me. They would return me to Brazil if I confessed to everything because they knew everything and had proof. They knew that I had smuggled two women to the States in previous visits. I said I would rather go to prison than to confess to something I didn’t do. This made them angry. I said that I had a doctorate, was a biologist, and had

been invited by the Woods Hole Research Center. They said that they didn’t believe me. I told them that I could prove that I had a doctorate, but they didn’t want to read the documents, not even the invitation from Woods Hole. I asked them to investigate me, to learn about me, but they refused. I sensed racial discrimination.”

While Dr. Reis was not permitted to make a phone call and subjected to what she describes as “an exhausting experience, full of threats and tension,” Dr. Brown was waiting for her to arrive at Logan. When she didn’t show up, he called JFK Airport, and eventually was connected with an immigration agent who said gruffly that she was a “smuggler.” When he protested that she was in fact a scientist with an invitation to visit Woods Hole, the agent hung up.

He then flew down to New York. On arrival at JFK, he was told she was being put on a plane to Brazil. She had been, he later discovered, threatened with long months in prison without any rights if she refused to sign a document they did not permit her or an interpreter to read, and another document saying she was returning voluntarily. She was given the choice of returning shackled or unshackled to Brazil. Her multi-entry US visa was cancelled.

The treatment of Dr. Vera Reis was headline news in Brazil and caused a furor in the Brazilian scientific community. Dr. Reis has requested a formal apology from the US immigration service and applied for a new visa.

“As I try to make sense of what happened,” says Dr. Brown, “I come across an old theme to explain why the INS treated Dr. Reis as it did: fear tinged with arrogance. The INS, after all, reflects the preoccupations of the American people, and fear seems to be the controlling emotion since 9/11. The arrogance comes with our effective classification of ‘non-citizens,’ the vast majority of humanity, as being second-class human beings. We Americans live in an increasingly interconnected world and many of our problems, including our security, can only be addressed by active engagement with societies that live beyond our borders. Showing others respect as human beings, as Aretha Franklin’s song goes, can make this engagement more effective and our world a little safer.”

Family told they need to show their birth certificates to board the Peter Pan bus

Few people look forward to traveling hundreds of miles by bus with three restless children. But who would expect the most difficult part of the journey to take place in the bus station before the trip even began?

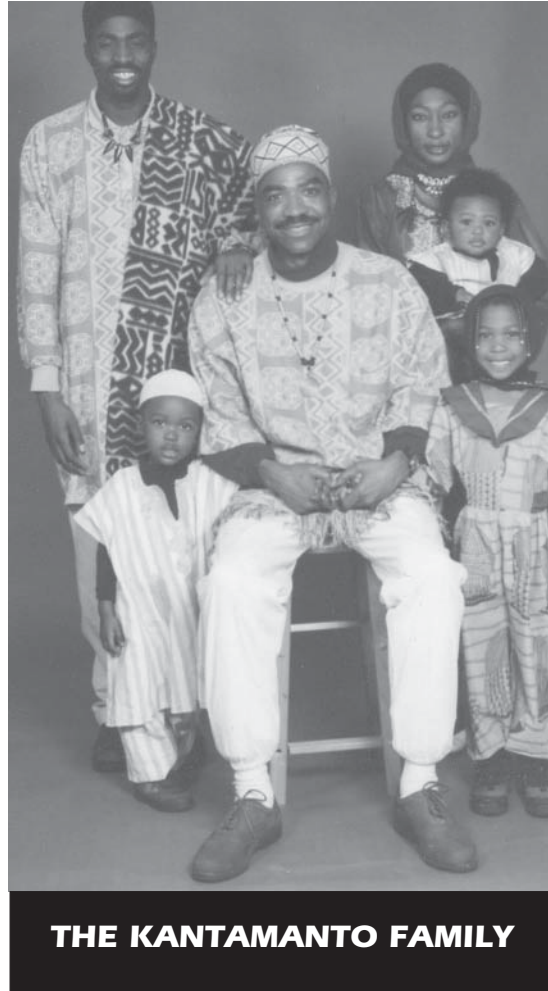
Abdur Rahman Kantamanto had little inkling of what lay ahead when, on April 18, 2003, he went to Peter Pan Bus Station in Worcester to purchase five round-trip tickets for himself, his wife Hakimah, and children, Khidhar (aged 8), Omoro (11) and Nzinga (13). They were going to Philadelphia for the school holiday.

A convert to Islam, he was wearing religious attire when he approached the ticket counter and asked for the tickets. “When I walked in, I could see that a red flag went up. I could tell by their body language. And when the

ticket seller asked me for my ID and saw my name was Abdur Rahman Kantamanto, the situation got worse. My ID was not good enough.”

The ticket agent was joined by her supervisor. “They said before they sell me the tickets I would have to show the birth certificates of everyone who wanted to travel. Otherwise we would not be going anywhere. When I expressed amazement, they told me that because of the attack on the Twin Towers, this was a new bus company rule. I was even more amazed and asked, what does September 11 have to do with me and my family?”

When they again refused to sell him the tickets without the identification, he called his wife and asked her to bring



the birth certificates to the bus station. His wife said she wasn't sure where they were, and it would probably take a long time to locate them. “She sounded really anxious, since we were already late and it looked like we would be forced to miss our bus. But she finally found them, and about an hour later brought the documents and the children down to the bus station.”

Again, they lined up at the counter. “This time I approached the ticket agent to show her the five birth certificates. And guess what? She said that she didn't want to see them, but that the bus driver would ask to see them. I asked her why did you single me out and tell me I needed to show you birth certificates? I've been

here some time, and I haven't seen you ask anyone else for them. She told me that her supervisor had requested that she ask me for a birth certificate as a form of identification, and since the supervisor was no longer there, she didn't have to see the certificates.”

Hoping to leave at 2:35 PM, the family finally took their seats on a 6 PM bus. Abdur Kantamanto was not surprised to hear from the bus driver that there was no company policy of requiring birth certificates to be shown before people could travel. “He looked at me with disbelief when I told him what had happened and that the ticket agent said the driver would want to see our birth certificates. He said his only job was driving the bus to its destination.”

Banking & the War against Terrorism:

Hossam Algabri knows how it feels to be unfairly targeted.

Married, with two young children, Hossam has been in the US since he first attended Paul Revere junior high as an eighth grader in Houston, Texas. After doing his university studies in Texas, he moved to Paul Revere territory in 1992 where he works as a computer engineer. His parents and sister also live in Massachusetts.

“In late November 2002,” he says in a soft voice, “I got a letter from Fleet Bank. I had always banked with Fleet and its predecessors. I only had one account, and I never had an overdraft. So imagine my shock when I opened this letter and read, ‘We regret to inform you that we are no longer interested in doing business with you.’ The letter said they were closing my account.”

When he called Fleet seeking an explanation, he was told to go to the Framingham branch, where he had opened his first account. The manager there told him, “There must be a mistake. You have a perfect account. They are probably going to upgrade you to platinum and they sent the wrong letter.” He apologized, and said he would look into it.

A few days later, the manager gave Hossam a number of the account closing department to call in New York. After phoning several times and failing to reach a human voice, he left a message and waited. Two weeks later, he was called back and told that the bank had the right to close his account, and the letter was the only explanation he was going to get.

By then, Hossam’s employer at the time, the Quincy-based software company Ptech, had become headline news (see page 10). Hossam discovered that while Ptech’s business account with Fleet remained untouched, five of the six Ptech Muslim employees with Fleet accounts had received the same letter. And soon he found out that fifteen other Muslims and a Muslim school in Massachusetts were also told by Fleet that their accounts were being closed.

How should they respond? “You have to understand,” says Hossam, “that it took a very long time for people to be able to talk about this. This can be a very humiliating experience. People feel scared and intimidated. They fear they risk their reputation by going public. They think they will always have a question mark over their heads. Unfortunately, they

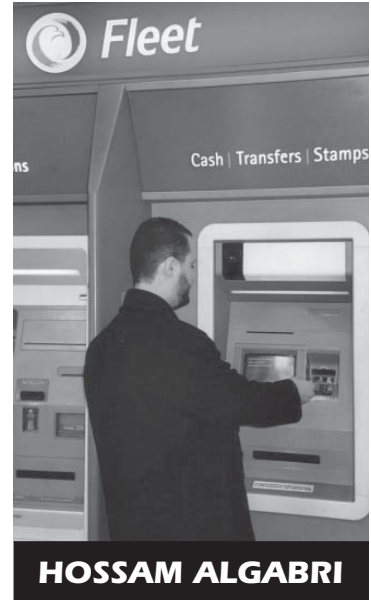
have learned not to trust the system and are afraid that if they speak out, they will just get targeted more. They are too frightened to see the long-term picture and the importance of standing up now.”

Eventually, after repeated efforts to get an explanation from Fleet, a boycott campaign was organized by community groups. And after threatening to bring a discrimination suit, Hossam got some sort of answer from the bank.

“Finally, their lawyer told my lawyer that I had made multiple transactions on the same day at the same ATM machine. They said I had put different checks in different envelopes, which was suspicious since I only have one account. But I have been doing these multiple deposits for ten years because it makes it easier to keep track for my records. They also said I withdrew \$7,000 in cash six months ago — but I had done this before and there was no problem.”

An American citizen, Hossam is saddened by the way attitudes towards the US are changing for the worse around the world. “In spite of what is happening now, the US is still a good place to be. I love this country and want it to prosper. I understand the government has a job to do to protect the country, and they should do it.”

But treating law-abiding Muslims as suspects and potential enemies is not the right approach. “Look, the millions of Muslims who are here have a vested interest preventing another terrorist attack. We will be devastated by it. We want to do everything we can to keep the country secure. But how? Because there is no disciplined approach to targeting bad people and so many innocent people are getting hurt, we don’t see any way to take an active role. Trust has broken down, and we just feel more and more isolated all the time.”



Accounts, Transfers & Loans Flagged

State Representative Kay Khan did not expect to find herself caught in the tangles of 9/11. But that's precisely what happened, all over a matter of \$300.

In the spring of 2003, Rep. Khan tried to wire \$300 to a relative in the North Shore but the money never went through. So she placed a call to Fleet Bank, where she had maintained a joint account with her husband for the past 35 years, and spent hours speaking with representatives of Fleet Bank and the local bank in Manchester, MA, unable to find satisfactory answers. "All they could tell me was that that they were not authorized to accept the transfer, but I couldn't get any details or any explanations as to why. It was very frustrating."

Finally, a branch manager asked her if her husband's name was Nasir Khan. She said yes, what difference does that make? The forms were all filled out in her name. Apparently, her husband's name had been flagged by the government months earlier, and although the matter had been cleared back then, his name was still flagged.

"I was really disturbed," she remembers, "and I immediately called the ACLU of Massachusetts. I was concerned that the banks could just stop a small wire transfer without even telling me or explaining what the problem was. And if my husband's name had already been cleared, why were we still having these problems?"

Fortunately, Rep. Khan was able to convince the banks of her innocence, and the wire went through. "But I can just imagine how difficult it must be for someone of a different race and ethnicity. You're put in a very tough position of having to defend yourself."

Since 9/11, banks have taken extra precautions to screen customers and accounts in hopes of preventing terrorist activity. But many wonder if the net has not been flung too wide, with many innocent people getting caught. "We are all aware of the need to be cautious nowadays," she states. "But how do we do that? By profiling people with a



KAY KHAN

common Muslim name? This situation seems bizarre."

Finishing up her fifth term in the state legislature, she sees everyday the struggles the government faces to keep America safe and free. "But it's alarming that we've come to this. As a country, I hope that we could move to being more inclusive, more accepting of people from different places. Instead we're moving backward, not forward."

IMRAN KHAN

Imran Khan knows history. He speaks about the days in Nazi Germany when Jews with the last name "Kahn" were singled out. "Some Jews initially didn't take this seriously because they figured that they were good businessmen and good citizens – they could put up with these minor inconveniences and everything would turn out okay," Imran explains.

Today, in a different place and time, Imran sees the parallel in the way that many Muslims with common surnames such as Khan are being singled out by the government. He speaks from personal knowledge.

Imran and his wife immigrated from Pakistan and became US citizens in the early 1980s. In 1992, he formed his own company and in 1996, he bought a house in Natick.

This past winter, Imran decided to refinance his home. He was waiting for the transactions to complete when Fleet Bank held up the transfer of his loan, leaving him with two mortgages at the same time. He immediately called his lawyer and the banks, only to be told that under the PATRIOT Act, a private organization in Washington, DC must authorize all transfers. His last name had been flagged as having a possible connection to terrorists, and it was unclear how long it would take to clear his name and authorize the transfer.

"In my case, we were talking about more than half a million dollars that was at stake here, leaving me in an extremely precarious situation," Imran said. Fortunately, the matter was resolved within a week, but his feelings of frustration and anger remain. "When societies start going on the wrong track, the initial things that happen may not be serious on the surface, but gradually, the inconveniences turn into major problems and but by then you become desensitized to the stigma. I am not waiting for that to happen."

“It’s your problem because of your name”

Abdullah Daoud is a frequent traveler. A software engineer who lives outside Boston and works for a large multinational company, he never had an issue with random searches at the airport. “I got so used to it that I would go automatically into the ‘special security’ line. I figure they were doing their job, protecting the country.”

And he wasn’t bothered when he was stopped by immigration and given a special check. “They were polite, and I understand why they took extra precautions.”

But he no longer has good things to say about American Airlines and its staff at Logan Airport.

“I got news that my mother was dying in Jordan. I was told I had to come immediately and bring my aunt so she could see her sister for the last time. My elderly aunt lives in Virginia and has bad arthritis. We arranged to meet at the airport in New York and then fly to Jordan together. In her condition, I didn’t want her to travel alone.”

On December 2, 2003, Abdullah’s wife Joy drove him to Logan before going on to work. He had two hours to wait for his 4 PM American Airlines flight to New York. As usual, he got the “random” check and was thoroughly searched.

“Then they announced the plane was delayed and I started worrying about my aunt arriving in New York and not finding me there. As time went by, I got more and more nervous, about my aunt and about missing my flight to Jordan. My mother was dying, and I had to see her.”

Finally the passengers were told to board the plane. “About ten minutes after I took my seat I was approached by an American Airline agent who told me that there was a problem with my ticket. When I offered to buy a new one he said no, it was a security breach and I had to leave now. He refused to explain why. He ordered me down the ramp. Outside there was an extremely rude guy on the phone, who hung up and then told me, ‘OK, you can get back on the plane, you’re cleared.’ But as I turned to go back up the



ABDULLAH DAUD

ramp and get on the plane they said, ‘You can’t get on the plane — it just left.’ It looked to me like a big act.”

Abdullah was told he would have to wait for the 8 PM flight to New York. “I said would they contact my aunt, and they refused. Everything I asked for they refused. They were treating me like a criminal.”

When Abdullah asked to speak to a supervisor, an American Airline pilot who overheard him pulled him aside and said, “These people are pulling people off the plane all the

time. They mistreat people. This thing has got to stop. If I were you I would take it to all channels possible.”

The supervisor eventually arrived and told him, “It’s your fault. Your name was not accepted by our computer.”

When he asked what was the problem, since he had got cleared through security after being completely searched, she told him he should take that up with the federal government. “We have our own complicated computer security system. People like you usually take us hours to clear. Unfortunately, we were able to clear you in five minutes.”

Abdullah said he had checked in two hours early and the plane was then delayed for two hours — surely they could have cleared him during that time? “She told me that maybe someone forgot to run the check. Anyway, the computer doesn’t clear a person by itself. There has to be someone to do it. And maybe that person wasn’t there.”

So how, he asked, was this his fault? “Well, it’s not American Airlines problem,” he was told. “It’s your problem because of your name.”

After the 8 PM flight was delayed, Abdullah eventually arrived at Royal Jordanian Airways in NY with five minutes to spare. He was able to see his mother before she died.

But having recently become a permanent resident of the United States, he is no longer sure he wants to stay. Could he really be at home in a place where “people like you” can be treated with such thinly-veiled hostility?

“I was tormented because of my first name”

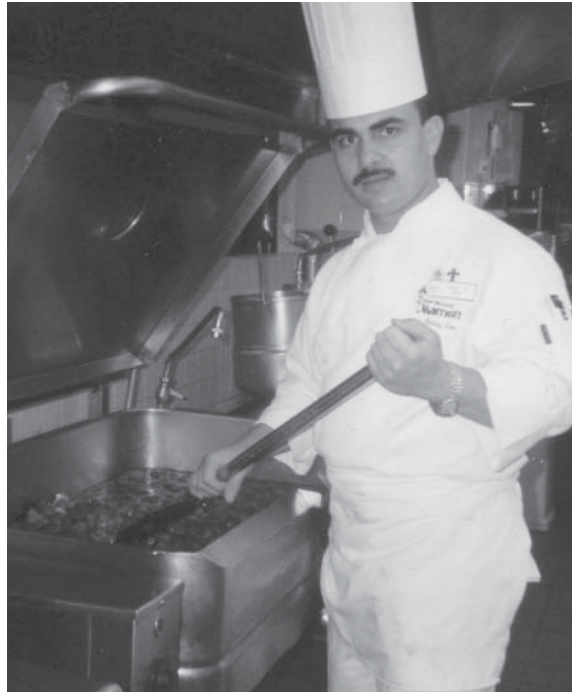
Usama Ali's dream is to be a world-class chef. Before immigrating to the US, he was well on his way. But after 9/11, the harsh reality of sharing the same first name as the world's number one terrorist made pursuing his dream a living nightmare.

In 1996, when Usama found out that he had won the lottery for a green card to the US, he decided to seize the opportunity and moved to Springfield, Massachusetts. For the next five years, he searched in vain for a cooking job. Finally, in the summer of 2002, he decided to enroll at the world-famous Culinary Institute of America in New York.

“From the very beginning at the Institute, I was tormented because of my first name,” Usama says. “One student came up to me and said, ‘There are only two names I don’t like – Osama and Saddam.’ I would walk through the hallways and everyone would look at me nervously. In class, I wouldn’t be allowed to touch the dough.” He remembers one time when a teacher told him to remove his name from his chef’s coat. “I was so nervous that as I was cutting off the name label, I cut my hand.”

Soon, he says, “I began to feel so isolated and humiliated. I couldn’t make friends, and more importantly, I wasn’t able to learn the cooking skills I had come to learn.” He tells how students yelled at him to “clean up your area” whenever a faculty member walked by. “Then the teacher would come over to me and send me off to the dean’s office.” This happened to Usama three times, and one time, when he had almost finished attending the three-week class, the dean made him repeat the entire course.

Things got so bad with the students and faculty that in April 2003, a dean asked him to take a one-year leave of absence. “The dean told me it would be better if I leave, that when I came back, this class of students would have



USAMA ALI

graduated. He said that too many students were complaining because they were afraid of me because of my name, and that when I came back, they would change my name to Sam and everything would be fine. Right now, the students didn’t feel safe.”

“I was shocked, and I was mad. I didn’t understand what was going on, and I kept asking ‘Why?’ The dean then changed it to a six month leave of absence during which time I could complete my externship, even though I had not completed my mandatory

five courses or my placement exam. I kept arguing but ultimately what could I do?” So, Usama went to a career fair and through his connections in Cairo, he got placed at the Marriott in New Orleans.

At first, Usama was treated well “but once the chef contacted the career office at the Institute, things started to change – he said I could no longer stay in the hotel and he wouldn’t let me bake anything. Instead, I found myself scooping ice cream all day long. When I went to complain to the Human Resources manager, I got fired – he said if I wasn’t comfortable, I should go elsewhere.” To make matters worse, the next day, his landlord called the police on charges that he was trespassing though Usama had paid rent in advance. “All of a sudden, I found myself handcuffed and sitting in jail in Louisiana! It was an absolute nightmare.”

Usama was eventually cleared of all charges. He was not allowed to return to his old school and came back to Massachusetts dejected but with hopes of finding a better life. “I have lost everything – my career, my pride, my self worth. I don’t have anything to go back to in Egypt and I have nothing here in the United States. Every time I think of going back to school, I feel afraid for my life.”

The Collapse of the American Dream:

When Daniel Joyce and Mohammad Afreedi became American citizens in the late 1990s, they both believed that they have achieved the American dream for their families. Daniel had left his native India a decade earlier to work for a Catholic charity, while Mohammad came from Pakistan to pursue a Masters Degree in Biology and Health Science.

Now both citizens of this country, the two men worked hard. Mohammad, a specialist in medical testing labs, worked seven days a week at two jobs to support his wife and children in the US. When his father died in 1988, Mohammad, as the eldest of 11 children, began to send money home to support his siblings and elderly mother in Pakistan. Daniel, too, worked long hours to support his family.

In 2000, Daniel and Mohammad, who had met while both were working at a medical lab, decided to open their own lab. They named it MDLAB (short for “Mohammad and Daniel’s lab”). Mohammad invested his savings to start the lab and, in December 2001, they received an inspection certificate from the Department of Public Health and opened for business. Their logo: “Serving the Community is Our Priority.”

“I was living the American dream,” says Mohammad. “I had a wife and two children, a house, my own business. To me, America really was the land of opportunity.”

The dream collapsed on September 25, 2002. Early that morning, Mohammad was going to work when the Methuen police stopped his car and took him to the local police station “for questioning.”

At the same time, officers roused Daniel from his bed and questioned him for hours while he sat in his pajamas. Then they handcuffed him and took him to the lab, where employees looked on in horror as the police took away the computers and all paperwork from the lab.

While both men were in custody, the police also went to their homes and conducted a “search.”

“They actually destroyed everything and took all the papers, my passport, my naturalization certificate, my diplomas, old bills, family videos, film from my camera – everything,” says Mohammad.



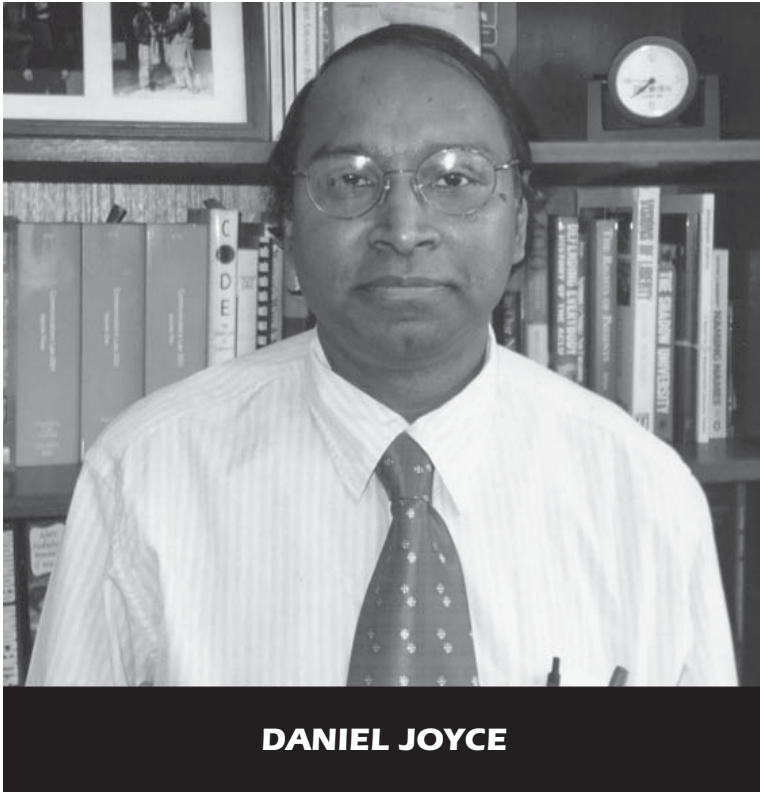
MOHAMMAD AFREEDI

Their personal and business bank accounts were frozen.

It was hours before Daniel and Mohammad learned that they were to be arraigned on charges of Medicaid fraud. The government was claiming that MDLAB and several other laboratories had obtained payment for tests that were neither authorized nor performed. The other labs under suspicion were also operated by people from South Asia.

“It seems to me the attorney general’s office assumed that because this other lab was run by people from Pakistan, India, and the Philippines that Daniel and I – because we are from India and Pakistan — were doing the same,” says Mohammad. “They jumped to conclusions without doing an audit or a proper investigation, which would have shown immediately that we had always complied with the law.”

“I feel as though my human rights have been violated”



Confident that the police would soon realize their mistake, Daniel and Mohammad were shocked when they were placed in shackles in a holding pen. When they later entered a courtroom for their arraignment, the room was packed with journalists. Under the harsh lights of television cameras, Daniel and Mohammad were publicly accused of “money laundering” because of the remittances that they had sent to their families back home and of being a “flight risk” because Mohammad’s wife had gone to Pakistan for his brother’s wedding.

The Judge refused to set bail.

Daniel and Mohammad’s arrest was the lead story on the evening news on all local television stations that night and in the newspapers the next morning.

“All of our friends saw the news that night,” said Daniel. “It was just horrible.”

In jail, Daniel and Mohammad initially were held in 23 hour lock-down, allowed to leave the cell only between the hours of midnight and 1 a.m.

“There were a lot of scary gangs in there,” said Daniel. “But we also met some extraordinary human beings as a result of a prayer group that I started.”

Two weeks later, bail was set – at \$800,000.

Finally, after nearly a month in jail, their lawyers convinced a judge to lower bail to \$25,000 for Mohammad and \$15,000 for Daniel. But there was a catch: they were placed under house arrest.

“We couldn’t go to the grocery store, our children’s schools, the mall,” said Mohammad. “My children didn’t understand why Daddy had to stay inside and wear an ankle bracelet.”

Both men went into deep depression. Daniel, who suffers today from post traumatic stress disorder, went on welfare, sent his wife and children to live with friends out of state and entered a homeless shelter.

“I can’t believe that the government has persecuted me this way,” says Daniel. “They still have not returned my passport or my belongings. It is clear to me that this happened because of the color of our skin. I feel as though my human rights have been violated.”

Finally, on October 30, 2003, all charges against Daniel and Mohammad were dismissed. The finding: No Probable Cause. The government could produce no evidence that they had not performed the work for which they sought payment.

“Even though the charges have been dropped, I have lost my car, my livelihood and my reputation,” says Mohammad. “My life has been destroyed, and I am living under depression and stress. Our bank accounts are still frozen. Our property has not been returned. And the state has not yet agreed to issue a new license for me to open a new lab and rebuild my life.”

Without doing a proper investigation, “the attorney general’s office jumped to the conclusions because they wanted to build a high profile case after 9/11,” he adds. “The only thing they had against us was our color, race and religion.”

“Is this what the Patriot Act means?”

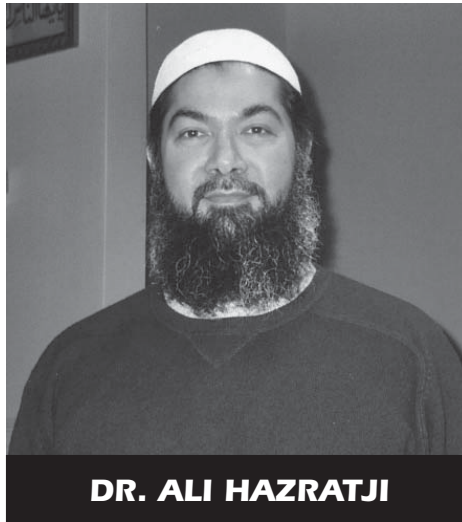
Dr. Ali Hazratji has been practicing neurology in Springfield since 1981. Since 1987, he has been Chief of Neurology in Holyoke Hospital and a consultant to all area hospitals. Since 1990, he has also been the President of the Islamic Society of Western Massachusetts.

His story begins in November 2003. To commemorate the Muslim holy month of Ramadan, a month of fasting and remembering the less fortunate, Dr. Hazratji and three other Muslim friends went on a religious retreat to visit Muslim communities in the Caribbean. After landing in St. Thomas, they took a ferry to Tortola in the British Virgin Islands to visit a mosque. Upon their return to St. Thomas the next day, he successfully cleared customs and waited for his friends to come through.

After waiting for an hour, a US customs official asked Dr. Hazratji to come back inside, confiscated his US passport, and asked him to wait for further questioning. Another hour went by. Then, four FBI agents approached his party and told them they were being taken downtown from the port. “I asked them what this was all about and was told that I could do all the talking I wanted at the FBI headquarters,” Ali recalls. “I said that I am a US citizen and that I have rights. I have not done anything wrong.”

Moments later, an FBI agent yelled “Everyone! Hands on the wall!” Ali and his friends stood by speechless as their pockets and persons were thoroughly frisked and all of their belongings were removed. They were then told to place their hands behind their backs, as the FBI handcuffed them and transported them in broad daylight to the waiting patrol cars. “I remember thinking that it was around 10:30 a.m., and here we were in a busy port filled with people who saw 4 men in Muslim garb being handcuffed and hauled away by the cops. We looked like ordinary criminals,” he recalls.

After arriving at FBI headquarters, agents removed their



handcuffs and took them one at a time to be digitally fingerprinted and photographed. “Then, they began asking us all sorts of questions about Islam and the situation in the Middle East. They even brought out a Qu’ran [the Muslim holy book] and quizzed us on certain passages,” he states. In total, the FBI detained Dr. Hazratji and his friends for 6 hours before saying that they were free to go. They weren’t given any explanations or answers about why they

were detained.

Six days later, traveling from St. Croix to Puerto Rico, US customs officials again singled out his party. For the next hour and a half, the agents went through every item and every seam of their luggage and sleeping bags with devices testing for explosives. They went through their cell phones, address books and other documents and recorded and photocopied all of their addresses and phone numbers before they were allowed to go. They went through their wallets and counted how much money they had. Needless to say, though they were eventually free to go, they missed their flight.

“In my twenty-five years of travel, I have never been subjected to such humiliation and insult in any country that I have traveled to, as I was in my own,” Dr. Hazratji asserts. “My American passport is always respected, and I have always been treated very fairly and honorably even in countries that are on our travel advisory list. It is a sad day that this great nation has been reduced to this level of paranoia and discriminatory profiling and abuse of civil rights. We need to ensure that our law enforcement agencies do not abuse the system and make life miserable for our own citizens. We must ensure that our rights and freedoms for which I migrated to this country are not violated under the pretext of any new laws we pass under the guise of national security. Is this what the PATRIOT Act means?”

“They don’t want us to be getting a seat at the table”



Salma Kazmi, the thirty-year-old staff person for the Cambridge-based Islamic Society of Boston (ISB), has a difficult job she never asked for: smear deflection.

Over the past year, *The Boston Herald* has published an inflammatory series of articles about the ISB which pass off “guilt by association” allegations as fact in a manner reminiscent of the McCarthyite “Red Scare.”

“The articles which ran in *The Herald* on October 28th and 29th last year really frightened people,” Salma says. “It was Ramadan, and everyone was fasting to feel spiritual. And then they see *The Herald* with a picture of Osama Bin Laden alongside a model of the new Cultural Center we are building in Boston, with headlines like ‘Radical Islam’ and ‘Terror Backers Tied to Hub Group.’ At first they wondered if there could be any truth to these things since they couldn’t believe a paper could just lie like that. But we explained how everything was distorted, and when the articles kept appearing in January, they felt very angry. Many are boycotting the paper. They are reacting with restraint, which is good.”

Salma learned that *The Herald* chose to publish the articles after *The Boston Globe* and *The Boston Phoenix* rejected them. The motive behind the series? “Look how they pictured Congressman Capuano and Mayor Menino at the ground-breaking ceremony of our new building

framed by the words ‘UNDER SUSPICION.’ Some people are clearly unhappy that we are building the largest mosque and cultural center in New England. And they don’t want us to be getting a seat at the table.”

Salma says she is encouraged by the fact that the allegations never were taken up as “news” by other mainstream publications, but were simply recycled by Murdoch affiliates and the website maintained by Daniel Pipes, a recent Bush Administration recess appointee to the US Institute for Peace whose anti-Muslim attitudes have been denounced by Senator Edward Kennedy, among many others. The Pipes website features a similar guilt by association tour de force aimed at “Boca Raton, City of Terror,” where there are plans to build two new large mosques.

The ISB has closely examined the sources used by *The Herald* and a prepared refutation is available to the public. “But we wonder what will happen next? Since they can write so much about us with so little meat, it is hard to know what to plan for. We have worked hard to promote interfaith understanding, and it is sad that some of the institutions and people we have built relationships with are being scared away by these defamatory articles.”

Attendance for events at the mosque has dwindled since 9/11. Although there are a variety of reasons for this, fear is undoubtedly one of them. “After 9/11 people started making donations in cash because they were afraid to get their names on lists. Many active Muslims have been visited by the FBI. I was told that there were 400 agents working in this area. On the streets, everyone wearing a hijab has had

something happen to them. Now people who were born and raised here, who never knew any other place, are saying do I really want to live here? They are making a mental shift. Some have thought of going to Europe, others are adopting a ‘wait and see’ attitude.”

But, she adds, things could be much worse. “After 9/11, we had only a few nasty calls and letters. And we do have supportive friends. I feel so fortunate to be in Cambridge.”



“Behavioral profiling is just another word for racial profiling”

Last October, when King Downing traveled from the west coast to Boston, he got first-hand experience of the kind of “behavioral profiling” which Massport had recently implemented at Logan Airport. The national coordinator of the ACLU’s Campaign against Racial Profiling and an African-American, King was on his way to attend a racial profiling meeting.



were acting suspiciously, then you were acting suspiciously.’ I told the sergeant that the trooper’s ID was on backwards, which seemed suspicious to me and he said that probably the wind did it. I told him there was no wind in the terminal.”

Eventually, King decided to hand over his driver’s license so he could get to his meeting. After

“I came off the ‘red eye’ around seven in the morning and went over to a pay phone that was against the wall in one of the terminals,” King recalls. “While I was on the phone, I looked over my shoulder and standing about four feet from me was a state trooper. I was surprised. He saw me looking at him, and he asked, ‘Is there a problem?’ I said that I wanted to know why he was standing so close to me while I was on the telephone.”

The trooper then demanded that King show his ID. “I told him that I was not showing him an ID. I said he had to have reasonable suspicion that I was doing something wrong to ask for it — what was I doing that made him suspicious? He asked me again, and we went back and forth. All the time I was trying to see his name, but he had it clipped on backwards. Finally he said, ‘If you don’t show me your ID, you are going to have to leave.’ I told him, ‘fine, I’ll leave.’”

King then went outdoors to get a cab, only to be followed by the trooper who demanded again to be shown an ID. “Finally he said to me, ‘If you don’t show an ID, you are going downtown.’ I said, ‘Am I under arrest?’ and he said, ‘yes, you’re under arrest’ — and with that, he called for back up.”

Eventually, a sergeant arrived and told King the reason why he was approached by the trooper was because he was acting suspiciously. “I asked, ‘what was I doing that was suspicious?’ The sergeant said, ‘I didn’t ask him that. This officer has been on the force for 12 years, and if he says you

running it on the squad car computer, they then asked to see his boarding pass and ticket. “I said that I’m not showing it, because people have a right to be here without it. They can pick people up without a ticket. They then told me that if I didn’t show it I would be put on the trespassers list and if I came back to the airport without a ticket I would be arrested.”

Satisfied that he had the information he needed to file a complaint, and now even more late for his meeting, King showed them his ticket stub. They told him he could go.

King says he never mentioned that he worked for the ACLU because “I wanted to know what the average person goes through who doesn’t have an organization or other resources behind them but is at the mercy of law enforcement.” He wonders how often officers have approached people at the airport just because of how they look, not what they are doing. And what exactly do Massport and the state police mean by behavioral profiling? All he was doing was talking on the phone. “From what I’ve seen,” King says, “behavioral profiling is just another word for racial profiling.” Once again a supposedly new “security measure” turns out to be an old way of violating rights.

In this post 9/11 climate, King maintains, “people have to stand up for their rights and say ‘no’. If they don’t, soon saying ‘no’ when police cross the line will be taken as reasonable suspicion and an indication of guilt, and then our rights will be gone.”

IV. THE DOMESTIC WAR AGAINST TERRORISM - ARE WE ON THE RIGHT TRACK?

The government's approach to fighting terrorism is based on some highly questionable assumptions which are harming the Commonwealth without necessarily making us any more secure. Those qualities that make us special and connect us to the wider world hang in the balance.

Past experience should teach us that more information is not necessarily better information. Expanded FBI surveillance and the amassing of giant databases for data mining purposes might sound like a way to deter plots and find what Attorney General Ashcroft terms the "terrorists among us," but we should learn from the massive pre-9/11 intelligence failure. Intelligence agencies had intercepted millions of hours of telephone conversations and email messages, but they had few translators on staff and lacked the background knowledge and skills of analysis essential to timely decision-making. Turf rivalry, poorly prepared staff, the culture of secrecy and out-of-date technology made many of these agencies all but dysfunctional.¹⁴

Have these failings been fixed? Are we really made safer when FBI agents monitor web sites involving student anti-war protests? Or when local police and state troopers follow up on every warning of "suspicious" activity called in to the TIPS line? Are these good uses of law enforcement time?

A study of racial profiling based on law enforcement statistics reveals that it is not an effective method of fighting crime. According to University of Toronto law professor David Harris, "When we construct a profile using the wrong kind of characteristic — a racial or an ethnic one as opposed to markers of behavior — we spread our enforcement resources and efforts more thinly than we would otherwise. Even the FBI does not have unlimited manpower; every person FBI agents must investigate because he 'looks like a terrorist' means that much less in the way of enforcement resources is available to investigate individuals who actually behave suspiciously...As with other forms of racial profiling, using ethnicity to try to identify terrorists has the added consequence of alienating the very community most able to help with effective law enforcement."¹⁵ Furthermore, if authorities focus on race, ethnicity or religion, those who do not fit the profile and who may in fact be planning terrorist

crimes will more easily slip underneath their radar.

Instead of focusing on solutions that actually work — on building relations of cooperation and trust in immigrant and Muslim communities, and tracking down concrete leads — the government has adopted a secretive "guilty until proven innocent" approach that has devastated lives and made all of our rights less secure. Its resort to profiling and to "guilt by association" arrests has enabled it to trumpet hefty figures to show it is making progress in the war on terrorism. But behind those figures lies a major credibility problem. A recent Syracuse University report reveals that more people received long sentences on international terrorism charges in the two years before 9/11 than in the years since then!¹⁶

The impact of zero tolerance immigration law enforcement will be with us for years as families struggle to come to terms with the expulsion of loved ones. The way the hunt for "illegals" is being pursued is counterproductive in public safety terms. It undermines relations of trust that bind communities together. Community policing will not survive the participation of police in the enforcement of civil immigration law and our streets will be less safe as a consequence. Targeting immigrants as if they are "the enemy" contributes to a climate of fear and hate and sends a message to the world that the United States is not a welcoming place. And as we make it more difficult for people from other countries to visit, to study, to get medical treatment and do research in our institutions, our isolation will increase. Beyond the economic impact, there may well be serious long-term effects for our ability to innovate, to influence "hearts and minds" and to understand the world around us.

These, then, are the questions raised by this report which demand urgent attention: Are we advancing our own safety by practices that rely on ethnic and religious profiling and that erode basic freedoms? Can the safety and well-being of the citizens of the Commonwealth be built on policies that make the lives of non citizens among us so much less secure? In addition to safeguarding our physical infrastructure, should we not be securing those attributes that define us as a people, including the fundamental rights and protections of our constitutional system?

V. PEOPLE STAND UP FOR CIVIL LIBERTIES

From Pittsfield in the west, to Manchester-by-the-Sea in the east, Massachusetts residents have successfully pressured their city councilors and town meeting members to pass resolutions in support of the rights and protections that are the hallmarks of our constitutional system. To date, these resolution campaigns have been successful in 29 Massachusetts communities and are underway in at least 30 others.

Across the country, four state legislatures (Alaska, Hawaii, Vermont and Maine) and some 300 cities and towns across the country representing more than 50 million people have passed resolutions that make visible the extent of public opposition to portions of the USA PATRIOT Act and other government measures that undermine rights and weaken democracy. Most major American cities, including New York City, have passed resolutions. Those with large immigrant populations are explicit in their condemnation of ethnic and religious profiling.

What is it that motivates people to get involved in time-consuming efforts to pass resolutions that will not necessarily have the force of law?

Marilyn Levin, who worked on the successful Arlington resolution campaign, says that “following September 11th, I saw fear being manipulated by our government and as a

lifelong advocate for individual rights and equality, I could not remain silent. The resolution campaign is a wonderful grassroots vehicle to alert the public to the threats to our fundamental liberties. The choice we face is between a democracy or a police state. We must always be vigilant or we can reach a point of no return.”

To Robert Plotkin of Concord, “The more I watched, the clearer it became that post 9/11 actions by the federal government were not

particularly good mechanisms for protecting us from terrorism. They were doing very little, if anything, to make us safer while restricting our freedoms significantly. We have been using the resolution campaign not only as a vehicle for pressuring our representatives to repeal the offensive portions of the PATRIOT Act and related executive actions, but also to educate our fellow residents. The response has been overwhelmingly positive, and we are expecting passage of our resolution in Concord, the cradle of American liberty.”

Carola Domar has deeply personal reasons for getting involved in the Concord campaign. She remembers her childhood in Germany in the 1930s.

“After the attacks of September 11th, when there was such fear and the government got new powers, my thought was ‘deja vu.’ I’ve been through this before. And I must do something about it. I was once asked, what does freedom mean to me? And I said, to me freedom means that I can say I hate Bush and my life is not in danger. I’m a Holocaust survivor. If I had said I hate Hitler, I certainly would not be here today.”

At age 84, Carola Domar is determined to do all she can to prevent her friends, neighbors and the larger community from becoming “unwitting victims of the darkness.”



ENDNOTES

1. This opposition is broadly bipartisan. For instance, on July 22, 2003, 113 House Republicans joined Democrats to oppose, by a landslide vote of 309-118, Section 213 of the USA PATRIOT Act which permits the “sneak and peek” searches of homes and offices.
2. “Prosecutors Defend ‘Sneak and Peek’ Warrant,” by Shelley Murphy, *The Boston Globe*, October 20, 2003.
3. William O. Douglas to the Young Lawyers Section of the Washington State Bar Association, September 10, 1976 (Library of Congress).
4. “Evacuation Due to Muslim Prayers Sparks Debate,” by Ray Henry, *The Boston Globe*, May 16, 2002.
5. “Schools Step Up Security after Visits,” by Anand Vaisnav, *The Boston Globe*, May 22, 2002.
6. General Accounting Office, “Homeland Security: Justice Department’s Project to Interview Aliens after September 11, 2001,” April 2003, p. 16.
7. “Our View: Quincy and Al Qaida,” by *The Patriot Ledger*, December 10, 2002.
8. In March 2004, more than 200 international students at UMass/Amherst refused to pay a new \$65-per-semester fee imposed by the university to help cover the costs of administering the SEVIS system, arguing that they didn’t see why they should pay for their own surveillance. *The Boston Globe*, March 21, 2003.
9. Supplemental Nonimmigrant Visa Application, DS-157.
10. “Foreign Students Fret over INS Tracking,” CNN.com, January 10, 2003. With SEVIS information being entered into the National Criminal Information Center (NCIC) database that police access when they make traffic stops, students could be liable for arrest and deportation for taking too few courses. “Crime Database Misused for Civil Issues, Suit Says,” by Nina Bernstein, *The New York Times*, December 17, 2003.
11. “Students Share Stories of Attempts to Return to US,” by Michelle L. Povinelli, *The Tech*, January 15, 2003.
12. “Prof. Cannot Get Visa to Return to US,” by Jordana Timerman, *Tufts Daily*, November 21, 2002.
13. According to a *Boston Globe* editorial, “Visas for Science” (April 21, 2004), President Summers has written Secretary of State Colin Powell and Homeland Security Secretary Tom Ridge stating the US was “at risk of losing some of our most promising scholars to universities in other parts of the world.” Massachusetts Representative William Delahunt has expressed his concern at the “dramatic decline” in the numbers of foreign scholars studying in Boston since 2001 (*The Boston Globe*, April 22, 2004).
14. These institutional inadequacies are detailed at length in the 900-page “Report of the Joint Inquiry into the Terrorist Attacks of September 11, 2001” by the House Permanent Select Committee on Intelligence and the Senate Select Committee on Intelligence (December 2002). The National Commission on Terrorist Attacks seems likely to reinforce these conclusions in its July 2004 report.
15. David A. Harris, *Profiles in Injustice: Why Racial Profiling Cannot Work*, The New Press, 2002, pp. 230-231.
16. A report released in early December 2003 by Syracuse University’s Transactional Records Access Clearinghouse documents that in the two years following September 11th, the Justice Department referred 6,400 people for investigation on terrorism charges. But two-thirds of them were never charged with anything. Of the 879 who were charged and convicted, more than half received *no* jail time and 250 less than a year in prison. Only a few got lengthy prison sentences. Among the cases labeled as “terrorist” were 65 involving foreign students who hired others to take their English proficiency exams and 28 involving undocumented immigrants working at Austin airport.

SAFEGUARDING CIVIL LIBERTIES – WHAT YOU CAN DO

- Campaign to pass resolutions in city councils, town meetings and the Massachusetts state legislature that affirm support for constitutional rights, and oppose ethnic and religious profiling and the anti-civil liberties provisions of the USA PATRIOT Act.
- Work to place a public policy question affirming civil liberties on the November ballot in your state senate or representative district.
- Lobby Members of Congress to repeal provisions of the USA PATRIOT Act that infringe on civil liberties and to oppose making permanent provisions that sunset in 2005.
- Ask your local police department to issue a statement of opposition to the Clear Law Enforcement for Criminal Alien Removal (CLEAR) Act, which would damage police-community relations and make our streets less safe. If the CLEAR Act passes Congress, it will result in further civil rights abuses as police stop people who “look like immigrants” in search of “illegals.”
- For resources and support, and further ideas of how you can play a part in protecting our fundamental freedoms, contact the ACLU of Massachusetts’ Civil Liberties Task Force, (617) 482-3170 x 314; nancy@aclu-mass.org.

SOME USEFUL RESOURCES

American-Arab Anti-Discrimination Committee - Massachusetts Chapter

565 Boylston Street, Boston, MA 02116

tel. (617) 262-8902

Defends civil rights of Arab Americans and the rights of immigrants.

American Civil Liberties Union (ACLU) of Massachusetts

99 Chauncy Street, Suite 310, Boston MA 02111

tel. (617) 482-3170; www.aclu-mass.org

Educates, litigates and lobbies on a range of civil liberties/civil rights issues. Its Civil Liberties Task Force campaigns for the Bill of Rights.

American Friends Service Committee

2161 Massachusetts Avenue, Cambridge, MA 02140

tel. (617) 661-6130

Works on social justice issues. Its Project Voice carries out local and national organizing to support immigrant-led organizations and defend immigrant rights.

American Immigration Lawyers Association (AILA)

A national association of 8000 attorneys and law professors who practice and teach immigration law. Attorney referral service: tel. (800) 954-0254.

Amnesty International USA - Northeast Regional Office

58 Day Street, Somerville MA 02114

tel. (617) 623-0202

Promotes human rights and the rights of asylum-seekers.

Bill of Rights Defense Committee

241 King Street, Suite 216, Northampton, MA 01060

tel. (413) 582-0110

Provides tools to communities to pass civil liberties resolutions; see www.bordc.org.

Boston College Immigration & Asylum Project

885 Centre Street, Newton, MA 02159

tel. (617) 552-0593

Represents immigration detainees who meet income guidelines.

Centro Presente

54 Essex Street, 2nd Floor, Cambridge, MA 02139

tel. (617) 497-9080

Provides assistance on range of immigration and citizenship issues, offers interpreter and translation services.

Equal Employment Opportunity Commission

1 Congress Street, Room 1001, Boston, MA 02114

tel. (617) 565 3200

Government office that takes complaints about employment discrimination (must be filed within 300 days of incident).

Greater Boston Legal Services (GBLS)

197 Friend Street, Boston, MA 02114

tel. (617) 371-1234

Provides free civil (non criminal) legal assistance to low-income people; takes some asylum cases.

Immigrants' Assistance Center, Inc.

58 Crapo Street, New Bedford, MA 02740

tel. (508) 996-8113

Provides a range of social services.

International Institute of Boston

One Milk Street

Boston, MA 02109

tel. (617) 695-9990

Represents asylum-seekers and takes some other immigrant cases; assists with interpreters and consular processing.

Lawyers' Committee for Civil Rights Under Law of the Boston Bar Association

294 Washington Street, Suite 443, Boston, MA 02108

tel. (617) 482-1145

Works on issues of race/national origin discrimination in housing, employment, voting, and policing.

Massachusetts Commission Against Discrimination

One Ashburton Place, Room 601, Boston, MA 02108

tel. (617) 994-6000

436 Dwight Street, Room 220, Springfield, MA 01103

tel. (413) 739-2145

Government office that takes complaints about incidents of discrimination (must be filed within 300 days).

Massachusetts Immigrant and Refugee Advocacy (MIRA) Coalition

105 Chauncy Street, Suite 901, Boston, MA 02111

tel. (617) 350-5480

Brings together groups serving immigrants and refugees for policy advocacy and public education.

NAACP - Boston Chapter

338 M.L. King Blvd.

Roxbury, MA 02119

tel. (617) 427 9494

Civil rights advocacy

National Lawyers Guild - Boston

14 Beacon Street, Suite 407, Boston, MA 02108

tel. (617) 227-7335

Deals with immigration issues related to detainees; has street law clinics and lawyer referrals for low-income people.

Office of the Massachusetts Attorney General

Civil Rights/Civil Liberties Division - Hate Crimes Task Force

Call tel. (617) 727-2200 to make a complaint.

Political Asylum Immigrants Representation Project

14 Beacon Street, Suite 804A

Boston, MA 02108

tel. (617) 742-9296

Represents asylum-seekers; referral service for detainees.

Refugee and Immigrant Assistance Center

31 Heath Street

Jamaica Plain, MA 02130

tel. (617) 522-8882

Provides social services and help with resettlement of refugees.

Refugee Immigration Services of Greater Boston Catholic Charities

75 Kneeland Street, 8th Floor, Boston, MA 02111

tel. (617) 451-7979

Takes asylum cases, phone-in legal clinic.