

Senator Greg Ball, Chair
 Homeland Security Committee
 New York State Senate
 CC: Senate Committee Members

April 4, 2011

Dear Chairman Ball & Committee Members:

As community leaders and New York State residents active in civic life, we strongly support effective efforts to evaluate and improve New York's preparedness in confronting man-made and natural disasters. However, we are writing to express our deep concern that several speakers currently scheduled to testify at the April 8 committee hearings will negatively impact efforts to appropriately cope with emergency situations that we may face. The choice of speakers with a long history of provocatively targeting New York's Muslim and immigrant communities in the name of national security will only divide us and make partnership in disaster prevention, mitigation and recovery much more difficult.

It is widely recognized that Nonie Darwish, Frank Gaffney, and Ed Kowalski espouse biased and controversial opinions and deliberate or misinformed distortions that should have no place in the New York State Legislature. (1) We also consider it likely that the testimony of Congressman King may direct the proceedings off course and further inflame rather than inform the public as during King's recent Congressional hearings.

We strongly believe that as currently framed, the testimony of these announced speakers will stoke xenophobia and needlessly increase unwarranted suspicion and fear of the American Muslim and immigrant communities. Our communities are experiencing a drastic increase in anti-Muslim and anti-immigrant public discourse and sentiment. In New York State we have witnessed the beating (and killing) of immigrants in Long Island as a sort of recreational activity among some teens. Some of the more public examples of Islamophobic violence include the clearly bias-driven knifing of a Muslim taxi driver in New York City and the persistent backlash against proposed mosques and Muslim community centers in Lower Manhattan and various locations in New York City. Young people are most easily affected by the pervasive bias and just this past week there was a troubling incident at a Staten Island school in which a 12 year old boy assaulted a Muslim girl.

Around the nation we see a pattern of demonizing immigrants as well as such hostilities as against the Islamic center in Murfreesboro, Tennessee, in tandem with anti-Sharia legislation; and the ongoing sensationalistic coverage of the efforts of a pastor at a small, nondenominational church in Gainesville, Florida to burn a Quran, which just this past week resulted in tragic and deplorable violence against UN personnel in Afghanistan. Hate crime activity against Muslim Americans also remains high. (2)

1) See http://en.wikipedia.org/wiki/Frank_Gaffney and http://www.americanprogress.org/issues/2011/03/sharia_law.html
 Frank Gaffney Interview with Peter King, Secure Freedom Radio With Frank Gaffney, Jan. 6, 2011, available at <http://www.securefreedomradio.org/2011/01/06/january-6-2011-faith-mcdonnell-rep-pete-king-sara-carter>. See also: <http://www.rightwingwatch.org/content/gaffney-wants-muslims-practicing-sharia-prosecuted-sedition>
http://www.theamericanmuslim.org/tam.php/features/articles/center_for_security_policy_sharia_report_a_threat_to_american_ideals/0018233
<http://mediamatters.org/research/201101310023>
<http://www.loonwatch.com/2011/01/frank-gaffney-thinks-some-conservatives-are-muslim-brotherhood/>
<http://network.nationalpost.com/np/blogs/afterword/archive/2009/02/17/book-review-cruel-and-usual-punishment-the-terrifying-global-implications-of-islamic-law-by-nonie-darwish.aspx> and <http://www.dailyprincetonian.com/2010/04/08/25767/>
<http://formermuslimsunited.americancommunityexchange.org/2010/03/03/the-true-nature-of-islam-nonie-darwish-versus-hassan-shibley/>
<http://crooksandliars.com/david-neiwert/fox-news-grotesquely-smears-immigran>

2 "Confronting the New Faces of Hate: Hate Crimes in America." The Leadership Conference Education Fund, 2009, at 30-31, at http://www.civilrights.org/publications/hatecrimes/lccref_hate_crimes_report.pdf
 See also New York Times Editorial April 2, 2011: <http://www.nytimes.com/2011/04/02/opinion/02sat2.html?partner=rssnyt&emc=rss>
 Re Staten Island incident: http://www.nypost.com/p/news/local/staten_island/muslim_bash_bust_for_tiny_terror_18RVfAaCJ4rnQGfUn1feKl

We are especially concerned that the agenda for the April 8 hearing lists discussion of Sharia Law as part of the discussion of Homeland Security. Inclusion of discussion of Sharia law is no more appropriate than would be the inclusion of a discussion of evangelical Christian doctrine as leading to terrorist activity. Attacking religious law of any one tradition has implications for other religions as well as being prohibited by the Establishment Clause of the First Amendment of the U.S. Constitution and Article I, Section 3 of the New York Constitution. We would hope that the hearing would dispel the fantastic and unwarranted claim that Muslims are plotting to install Sharia Law in the USA. Counterbalancing perspectives from respected mainstream and academic sources should be included in these hearings to correct the record.

We are disappointed to see that Congressman Peter King has been invited to help frame these State Senate hearings, as his presence seems to portend that these hearings are being conducted not to evaluate and improve preparedness but for partisan political purposes. Mr. King recently held divisive and controversial hearings in Congress on “radicalization of the American Muslim community and homegrown terrorists.” He has provided no evidence to back his inflammatory claim that over 80 percent of mosques are “radical” and his assertion that American Muslims do not cooperate with law enforcement has been challenged by a range of well known officials. Providing him with an additional venue to further disseminate unfounded assertions does little to help New York State’s readiness to cope with disasters. (3)

We note that those who were the victims of the September 11 terror attack were extremely diverse. Our neighbors who lost loved ones reflect a wide range of political views. It is disappointing that the only person testifying on behalf of 9-11 families is Ed Kowalski who is well known for focusing harsh attacks on undocumented immigrants as security threats. This position flies in the face of empirical research shows that immigrants in the U.S., including the undocumented, are far less likely to commit serious crimes or be in prison than the native born. (4)

As FBI Director Robert Mueller stated, “99.9 percent of Muslim-Americans, Arab Americans, Sikh-Americans are every bit as patriotic and supportive of the United States as any others of us here in the United States, and that has come out since September 11th.” (5)

As New Yorkers, we share concerns about violent extremism. Accordingly, it is imperative that the analysis of threat presented should address all forms of violence to insure that we are prepared to meet the threat however it may present itself. It is significant that a recent Fox poll indicated that by a wide 49-32 percent margin, more voters think a terrorist attack in their area will come from an anti-government American fanatic than a radical Muslim-American. (6)

Therefore, antisocial trends should be discussed in a balanced and inclusive way and focus on criminal acts and not constitutionally protected religious or political views. Moreover, discussion of policy issues such as drivers’ licenses for the undocumented should include a speaker who can address both sides of the question, ie the legitimate benefits to state and national security such a policy might accomplish, rather than the one sided “Immigration Illegal Immigrants Drivers License.” Experts invited to speak should be objective and not ideologically motivated. And when a specific community is discussed, its main representative organizations should be invited both to help shape the discussion and to testify at the hearing, instead of being excluded from the table, as in this case.

3) Sean Hannity interview with Peter King, 2004, cited at <http://www.wnd.com/?pageId=23257>

For discussion of King Hearings See <http://www.nytimes.com/2011/03/11/us/politics/1king.html> and

<https://www.tanenbaum.org/blog/03/11/violent-extremism-should-be-table-%E2%80%93-not-islam>

4) Immigration Policy Center, From Anecdotes to Evidence, Setting the Record Straight on Immigrants and Crime; <http://www.immigrationpolicy.org/sites/default/files/docs/SettingtheRecordStraightonImmigrantsandCrime9-10-08.pdf>

5) FBI Director Praises American Muslim Cooperation, Foreign Press Center Briefing, Feb. 17, 2004, at

http://www.amuslimvoice.org/html/body_fbi_director.html. National Security Network Comments: <http://www.nsnetwork.org/node/1911>

6) March 24 2011 Poll at:

<http://www.foxnews.com/politics/2011/03/24/fox-news-poll-voters-approve-presidents-decision-resume-gitmo-tribunals/#ixzz1HdBL1fkT>

Therefore, we respectfully urge you to reframe these hearings so that they will help achieve the goal we all share: making our communities more secure rather than sowing fear and misinformation that will have the opposite effect. In addition, we urge the Homeland Security Committee to meet with a representative group of civil rights and immigrant community leaders, including Muslim Americans, to discuss constructive ways to address committee concerns.

Signed,

(List in formation)

Organizations

AILA NY Chapter (American Immigration Lawyers Association)
 AMAL Association of American Muslim Lawyers
 Arab American Association of New York
 Arab Muslim American Federation
 C.U.S.H. (Churches United to Save and Heal)
 Interfaith Center of New York
 Islamic Circle of North America (ICNA New York)
 Greater Peekskill/Cortlandt/SW Putnam
 Majlis Ash Shura Islamic Leadership Council of New York
 Muslim American Civil Liberties Coalition
 Muslim Bar Association of New York
 Muslim Consultative Network
 Muslim Progressive-Traditionalist Alliance
 Muslim Public Affairs Council (MPAC-NY)
 NY Faith and Justice
 Phillipstown for Democracy
 Rockland Immigration Coalition
 Turning Point for Women and Families
 WESPAC Foundation
 Westchester Martin Luther King, Jr. Institute for Nonviolence

Individuals

Malik Nadeem Abid, American Muslim Voice Foundation
 Rev. Dr. Paul Alcorn, Bedford NY
 Bishop Michael J. Champion, President Peekskill Area Pastors Association,
 Cyrus McGoldrick, Civil Rights Manager, Council on American-Islamic
 Relations - New York (CAIR-NY)
 Gabriela Pragman, Executive Director Somos Llave del Futuro, Inc.
 Imam Umran Bacchus
 Imam Ashrafuz Zaman Khan
 M. Doretta Cornell, RDC
 Mariana Boneo Mamaroneck, NY
 Michael Mandel, Port Washington, NY
 Maria I. Valentin, Esq.
 Ellen Greeley, Co-Chair Temple Israel of Northern Westchester
 Maryum Khwaja, LCSW, Director of Social Services, Islamic Center at New York University
 Rosemarie Pace, Director Pax Christi Metro New York
 Zaheer Uddin, Executive Director (Majlis Ash-Shura of Metropolitan New York)