VII. The Greater Boston Experience

The experience of law enforcement and the Muslim, Arab, and Sikh communities in Greater Boston is significantly different from their experience in either Southeastern Michigan or Southern California. For the purposes of this study, the Greater Boston Area encompasses Suffolk, Middlesex, and Norfolk counties. According to the 2000 US Census, these three counties cover an area of 1,282 square miles and have on average 16,000 people per square mile.

DESCRIPTION OF COMMUNITY

While defining the exact size and composition of American Muslim, Arab, and Sikh populations is complicated and at times controversial, it is important for the purposes of this study to define the relative size of these populations in each of the study sites in order to contextualize their experiences. In terms of the Sikh and Muslim communities, there is no government census data collected. Community estimates indicate that the Sikh community is relatively small, (approximately 2,000-4,000 persons in Eastern Massachusetts), dispersed, and disproportionately made up of professionals. There are two gurdwaras in Greater Boston and one in Milford, Worcester County, which also draws participants from Greater Boston. In terms of the Muslim community, while there are not exact numbers for Greater Boston, there are approximately 40 mosques or Islamic Centers in the Commonwealth of Massachusetts and an estimated 25,000-35,000 Muslims. While estimates on the Arab community vary widely, ranging from 53,000 to 175,000 people, it is clear that this community comprises less than 1% of the population of the entire Commonwealth of Massachusetts. According to the Arab American Institute, there is an estimated Arab-American population of 175,000 with Middlesex County housing 21% of the state’s Arab-American population.

Because these communities are relatively small, national community organizations have not prioritized this region in terms of distributing national resources. Therefore, unlike Southeastern Michigan and Southern California, in Massachusetts there is no chapter of CAIR and the ADC chapter is still in its nascent stages of development. In addition to the lack of robust community organizations, there is not a clear consensus within the diverse and dispersed Massachusetts Muslim, Arab and Sikh communities that investing the time and resources necessary to establish an ongoing dialogue with law enforcement is necessarily a high priority. Further, there is no coordinating group that effectively oversees or organizes the local community groups that do exist.

Because of these factors, much of the law enforcement and government outreach in Massachusetts has been initiated and maintained through the work of specific individuals rather than community-based organizations. As previously discussed, Boston has a long history of community organizing and policing and there are strong chapters of other national civil rights organizations such as the ACLU. However, prior to September 11th these organizations had not worked closely with the Muslim, Arab, or Sikh communities.

Several additional unique factors are present in the Greater Boston communities. Because of the large university base in this area, a large proportion of these communities are comprised of a transient academic population. Further, these communities are ethnically diverse, including a significant African American Muslim population and a Caucasian Sikh community.

While these communities are small in Greater Boston and historically have not been part of a comprehensive community-policing strategy, following September 11th these communities and law enforcement were compelled to increase their interactions. The catalyst for this interaction were two precipitating factors: 1) two of the planes hijacked on September 11th originated from Boston’s Logan Airport, thus Boston became the epicenter of the initial stages of the response efforts and investigations (PENTTBOMB); 2) national directives have focused law enforcement efforts on Muslim, Arab, Sikh communities nationwide. Although these communities in Greater Boston are relatively small and not politically organized, they are large enough to draw the attention of law enforcement in its efforts to implement national directives. Further, it is worth examining the Greater Boston area because it is representative of the vast majorities of communities in the United States which have a relatively small and dispersed community bases.

DESCRIPTION OF LAW ENFORCEMENT

As discussed at length in the “Why Partner?” chapter of this guide, Boston has a significant place in the history of community policing. While this history is

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176 Defining the size of these communities can be controversial because there is disagreement about the accuracy of U.S. Census data as it relates to the American Arab community (many feel the Census numbers underestimate the size of the population). Defining the size of the Muslim and Sikh communities is complicated because religious affiliation is not accounted for in the U.S. Census and therefore in order to assess the overall size of these communities it is necessary to rely on a compilation of information acquired from community organizations and academics.

177 Hassan Abbas, Visiting Research Fellow, Harvard Law School, received via e-mail on 4/12/04.

important, it is equally important to note that these efforts in the past were focused primarily on state and local law enforcement and, by and large, the African American, Latino and Asian communities.\(^{179}\) Additionally, while Boston’s reputation for local community policing is well-established and renowned nationwide, local and national media as well as parts of the public-at-large take a skeptical view of federal law enforcement in Boston due primarily to the Whitey Bulger case that stems from the 1980s.\(^ {180} \) While this skeptical view may be inappropriate under current circumstances, it remains an operational reality for law enforcement in Massachusetts. Current federal law enforcement executives report, however, that “the result of the Bulger case has in no way deterred the FBI or USAO efforts in terrorism.”\(^ {181} \)

Like the community in Greater Boston, which is dispersed, federal law enforcement has responsibility for a wide geographic region including Maine, New Hampshire, and Massachusetts. After September 11\(^{th} \) this already thinly stretched federal law enforcement team was further challenged by its central role in the September 11\(^{th} \) response and investigation. Nationwide, the FBI “covered over 500,000 investigative leads and conducted over 167,000 interviews.”\(^ {182} \) Because the Boston field office played a large role in this investigation, one can extrapolate the huge demands placed on this office after September 11\(^{th} \). Specifically, not only did two of the hijacked flights depart from Boston’s Logan Airport but also one group of hijackers, including Muhammad Atta, took a connecting flight out of Portland, Maine and his suitcase which contained a suicide note, did not make the transition and was recovered at Boston’s Logan Airport.

**POST SEPTEMBER 11\(^{TH} \) INITIATIVES**

Because the Greater Boston area lacks active community-based organizations or a formal means of communication, much of the productive interaction between law enforcement and the community has been initiated and maintained at the individual level. After the September 11\(^{th} \) attacks, there were a number of proactive efforts on the part of such individuals. Since they were initiated by individuals, however, these efforts were sporadic and neither systemic nor institutionalized.

**The Sikh Community**

Much of the Greater Boston Sikh community’s response to September 11\(^{th} \) backlash was led by volunteer members of the Sikh community, including Navjeet Singh of the Sikh MediaWatch and Resource Task Force (SMART). Singh explains that the catalyst for his community’s action was the arrest of a young Sikh-American named Sher J.B. Singh by police in Providence, Rhode Island. On September 12\(^{th} \), 2001, law enforcement officials boarded an Amtrak train searching for four “suspicious” men who reportedly had knowledge of the September 11\(^{th} \) attacks.\(^ {183} \) After searching Sher J.B. Singh, who was traveling from Boston to Virginia to return home after a business trip, police arrested him on the criminal charge of carrying a concealed weapon. The alleged “weapon” was a kirpan, which is a small religious sword carried by initiated Sikhs. While the FBI quickly realized that this case was not terrorism-related, the Providence Police Department continued to pursue it.\(^ {184} \) The charges against Sher J.B. Singh were dropped more than a month later after much outcry from the Sikh community as well as the broader civil rights communities, particularly religious and interfaith organizations in Rhode Island.

According to Navjeet Singh, this incident demonstrated to the Sikh communities in New England exactly how vulnerable they were after September 11\(^{th} \) and emphasized the need for action. The community’s first response to the arrest was to organize through the local gurdwaras and through an informal network of friends and acquaintances of Sher J.B. Singh to secure his bail. Members of the community spent the next two days calling and writing letters to the media, political contacts, and the ACLU with the dual objective of persuading the government to drop the charges and stopping the negative media attention focused on Sher J.B. Singh.

Immediately after the September 11\(^{th} \) attacks, Singh was in contact with the national office of SMART to collaborate on a proactive programming strategy both in regards to the Sher J.B. Singh incident and the general backlash experienced by the community. On the Sunday

\(^{179}\)While the United States Attorney’s Office in Massachusetts along with local District Attorney’s Offices and the Office of the Attorney General have historically been involved in the development and implementation of several community-policing related initiatives (the Weed and Seed site in Grove Hall for example), in terms of enforcement, the initiatives focused on the Boston Police Department not the FBI or other federal enforcement agencies.

\(^{180}\)In the 1970’s renowned mobster Whitey Bulger became an informant for the FBI in Boston. It has since come to light that some within the FBI-Boston secretly protected Bulger and his organization while working with him to dismantle his rival organization, La Cosa Nostra. Current and former employees of federal law enforcement in Massachusetts report that the Bulger case and the ongoing attention it receives from the local and national media color the way they, and many of their colleagues, are viewed by the public.

\(^{181}\)Memo from Assistant United States Attorney Michael Ricciuti to Sasha O’Connell regarding: Partnering for Prevention and Community Safety: Draft of Boston Chapter, 4/23/04.


\(^{184}\)Interview with Navjeet Singh, Representative, Sikh MediaWatch and Resource Taskforce (SMART), 4/1/04.
following the attacks and the Amtrak incident, at religious services at the gurdwara, Singh and other community members developed a plan of action for local communities. This plan included proactively reaching out to town governments, local and state police departments, and schools to introduce themselves and their communities at large. Groups of community members living in neighboring towns and cities were asked to contact local government, law enforcement and/or school officials, and the community was advised to actively and publicly participate in town halls and September 11th vigils.

Singh, his family, and other Sikhs, for example, introduced themselves to their local police department, the Board of Selectman in Shrewsbury, and the State Police in Framingham. According to Singh, Sikh students at Boston University led this effort in Boston the gurdwara in Millis took the lead there, and other Sikh families took the lead in their own and neighboring communities. This effort resulted in very positive interactions, and events such as an awareness panel organized at the Westboro schools.185

The Muslim Community

One segment of the Muslim community that has been particularly active in Greater Boston in relation to law enforcement outreach is the Pakistani-American community. Pakistani-Americans number approximately 5,000 in the Greater Boston area, thereby representing about 15-25% of the entire Muslim population in the area.186 This community worked proactively to mitigate the potential negative effects of the nationally mandated NSEERS, or special registration program (see Appendix D), which affected a large number of immigrant populations.

The local community’s response to NSEERS was largely coordinated by Barry Hoffman, who has long served as the Honorary Consul General of Pakistan for New England. Hoffman, an American, is commissioned by the Embassy of Pakistan in Washington, DC and is recognized by the US Department of State as a diplomatic employee of the Pakistani mission. Soon after the inception of the NSEERS directive, the Embassy warned Hoffman of the many problems facing some Pakistani citizens who were forced to register and encouraged him to work with the local immigration authorities on their plan for implementing the NSEERS program. Hoffman worked with local individuals and organizations including Shahid Ahmed Khan, Regional Vice President of Pakistani American Congress, the Pakistani Association of Greater Boston (PAGB), and International Institute of Boston to develop a plan to mitigate the negative effects of NSEERS on Pakistanis in the area.187

To start, they approached then-Deputy Director of the regional INS office Dennis Reardon, who was very receptive to them. According to Hoffman, INS Directors/SACs around the country were aware of the situation in Southern California in which hundreds of people were detained and were looking for a means to better implement NSEERS in their own districts. Hoffman also notes that these directors had a great deal of discretion in implementing the program. Together, Hoffman and Reardon agreed that the objective of NSEERS was to register people and not to arrest them. After they agreed on the program’s main operational objective, Reardon guaranteed that no one in his district who came to register would be arrested unless they were wanted for criminal activity or had already been adjudicated for deportation. Those who were in violation of immigration laws such as having overstayed their visas were to be given a notice to appear before a judge.188 This allowed those people time to seek legal representation in order to prepare their case or to leave the country voluntarily.

This initiative proved to be very successful both in addressing the fears of the community and in helping register a large number of people. Barry Hoffman and his associates hosted seminars on NSEERS and publicized the guarantee they had received from Reardon at local mosques. The Pakistani Embassy in Washington, DC strongly supported Hoffman in this effort. Further, the Embassy spoke directly with Attorney General John Ashcroft and the US Department of State to make them aware of their concerns about the NSEERS program’s effect on the American Pakistani community. The Embassy also publicized Hoffman’s efforts on its website and listed him as a 24-hour point of contact for this issue.

The Arab Community

According to the local Massachusetts chapter and the national office of the American-Arab Anti-Discrimination Committee (ADC), there is nothing to report in terms of proactive initiatives in building relationships with law enforcement taken on the part of the Arab community in Greater Boston.

Boston Police Department (BPD)

While BPD had very limited interactions with the local Muslim, Arab, and Sikh communities in Boston prior to September 11, 2001 that changed quickly after the attacks.189 Immediately following the attacks on

185Ibid.
186Hassan Abbas, Visiting Research Fellow, Harvard Law School, received via e-mail on 4/9/04.
187Interview with Barry Hoffman, Honorary Consul General of Pakistan, 4/13/04.
188Ibid.
189Interview with Lieutenant David Aldridge, Boston Police Department, 3/23/04.
September 11th, the BPD began outreach efforts to the local Muslim, Arab, and Sikh communities in an effort to stave off any potential backlash. Specifically, BPD reached out to Muhammed Ali-Salaam Deputy Director of Community Planning for the Boston Redevelopment Authority, who referred BPD to a number of community organizations. Additionally, BPD instituted a program of visiting “every mosque in Boston,” giving public talks, and visiting community centers and community-owned restaurants, all in an effort to publicize accurate information about what to do if a community member experienced a hate crime or hate incident. Further, BPD relied one of their officers who is of Lebanese descent to do additional outreach to the community.

BPD emphasized that all of these initial meetings were “non-invasive.” That is to say that while officers proactively sought out this community, they were there for the sole purpose of making themselves available for the reporting of hate crimes and hate incidents. Their interactions with the community during this time were primarily focused on information-sharing and leaving community members with contact information. BPD found this outreach to be particularly challenging because unlike other communities in Boston, with a few exceptions the Muslim, Arab, and Sikh communities in Boston are geographically dispersed, making the planning of community visits more challenging.

From the beginning, BPD sensed skepticism on the part of the community in terms of the reasons the police were making contact in the days following September 11th. In its efforts to make itself available to these communities, they felt they were up against what they describe as a “cultural fear of law enforcement” as well as the perception that BPD was the “right arm of immigration.”

Efforts to bridge this sense of distrust were focused on two fronts: 1) an effort to accurately explain BPD’s relationship with immigration authorities; and 2) an effort to make information available about BPD’s work and to follow up on reported hate crimes and hate incidents. Through these initiatives, BPD was able to demonstrate its serious commitment to community safety.

In regards to BPD’s relationship with immigration authorities, BPD made efforts to explain to the community that while BCIS has the authority to audit their records, in practice, BPD is not required to ask individuals about their immigration status during routine interactions. In fact, BPD is fighting the national move to require local departments to enforce immigration regulations because it would “ruin our relationship with the decent people in our city.” Explaining this operational practice to the community made them more comfortable with increased police presence. Additionally, in terms of building trust and breaking down barriers of skepticism, BPD reports that when word got back to the community that BPD had in good faith acted upon hate crimes and incidents reporting, the community responded with increased trust.

In addition to efforts immediately following the September 11th attacks, BPD has sustained its efforts to work with these communities. BPD has been active in the two local Hate Crimes Taskforces (one operated out of the Governor’s office and one out of the Attorney General’s office). Additionally, while BPD’s efforts have moved into more of a “response” mode now that the community is familiar with the department and its role vis-a-vis hate crimes investigations and response, the department does still occasionally proactively visit the community in order to “check in.”

**FBI-Boston Division**

Immediately following the events of September 11th, the Civil Rights Squad from the Boston FBI office began an initiative designed to make contact with every mosque in the Commonwealth of Massachusetts for the purpose of providing information about the resources that were available to the community to respond to incidents of hate crimes or other forms of retribution. In order to do this, the FBI agents from the Boston Division worked closely with the Bureau of Alcohol, Tobacco and Firearms (ATF) and utilized a database of places of worship compiled by the ATF. ATF had built this database as part of their church arson initiative and the FBI found it very useful for the quick identification of mosques in the days and weeks after September 11th. In addition to the mosque site visits, the Civil Rights Squad at the Boston office sent letters to all of the area mosques offering to come for meetings to discuss the FBI’s role in hate crimes investigations. Out of this initiative, the FBI heard back from five mosques with which they followed-up.

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190Ibid.
191Ibid.
192Ibid.
193Ibid.
194Ibid.
195Ibid.
196Ibid.
197Ibid.
198Ibid.
199Ibid.
200According to a member of the community who was invited to attend one meeting of the Attorney General’s Hate Crimes Taskforce but never asked to return, these meetings were ineffective at including a consistent community voice. Further, ADC-MA reports that their representatives dropped out of the AG’s Office Hate Crimes Taskforce because the Anti-Defamation League was asked to participate as well which the ADC feels precludes them from effectively participating.
197Ibid.
198PFP Boston Law Enforcement Focus Group, Jay White, Acting Supervisor, Federal Bureau of Investigation, Boston Division, 4/5/04.
199Ibid.
While forging relationships during a crisis was difficult, the FBI reports that long-lasting relationships have developed out of these mosque visits which have proven mutually beneficial to the FBI and the community. Specifically, the FBI reached out to some of these same contacts as part of their effort to recruit translators for languages with which the FBI had serious deficiencies.

In addition to the mosque visit project, FBI Boston has participated in numerous community meetings and briefings and have included leaders from the Muslim community in their Citizen’s Academy program which offers citizens the opportunity to learn firsthand about the operations of the local FBI Field Office. Additionally, the FBI Boston Field Office has recently begun a series of media brown bag lunches where they invite local media representatives to an off-the-record meeting about Bureau operating procedures and publicly available case information. This initiative is aimed at making accurate information available to the public about FBI policies and procedures by proactively working with the media to better inform its coverage.

**United States Attorney’s Office**

In the months that followed September 11, 2001 pursuant to an Executive Order from President Bush, the Department of Justice organized Anti-Terrorism Task Forces (ATTF) out of every United States Attorneys’ Office. These groups were made up of executives from federal, state, and local law enforcement who were charged with coordinating all anti-terrorism efforts. Boston like all districts immediately developed their standing ATTF which was designed to complement the Joint Terrorism Task Force (JTTF) already in place. The ATTF (which today has become the Massachusetts Anti-Terrorism Advisory Council or ATAC), took a number of steps to facilitate its mission of “developing effective federal, state, and local partnership[s] to comprehensively address the threat of terrorism” including the creation of a Civil Rights Sub-Working Group for the ATTF/ATAC. In addition, United States Attorney Michael Sullivan created an Anti-Terrorism Unit (ATU) in September of 2002 where four Assistant United States Attorneys (AUSAs), an Intelligence Research Specialist (IRS), a Security Specialist and three support staff work exclusively on anti-terrorism initiatives.

According to the OUSA, Paul Saba of the Arab-American Lawyers Association and Juliette Kayyem of the JFK School of Government were substantially involved in the early stages of the Civil Rights Sub-Working Group of the ATTF/ATAC. This group was reportedly helpful on a number of mandated initiatives including the implementation of the student registration piece of the NSEERS program. Over time the interpersonal relationships built through this working group became quite strong and the United States Attorney’s Office began to rely on one-on-one contact with individuals for input rather than convening the entire group.

As this report goes to print, the United States Attorney’s Office in Massachusetts is pursuing additional outreach with the Muslim community. On April 22, 2004, the USAO held a meeting with “several representatives” of the Muslim community to discuss developing a plan for institutionalizing outreach efforts. Community representatives have agreed to propose an agenda and a list of invitees for an initial planning meeting. Work on this initiative is in its nascent phase, but is ongoing.

**Cambridge Police Department**

While the Cambridge Police Department did not have a particularly robust relationship with its local Muslim, Arab, or Sikh communities prior to September 11, 2001 it does have a long-established history of focusing on a strategy of community policing. This well-established framework and the Chief’s ongoing participation in efforts focused on ending racial profiling, enabled it to react quickly to the situation and provide the community with protective services in a way that was warmly received.

In the afternoon of September 11th the Cambridge Police Department visited the Cambridge mosque in order to offer assistance and protection. According to Muhammed Ali-Salaam a member of the mosque, “I was literally taken aback with their sensitivity and their professionalism.” As the officers explained their intentions and arrived at the door to the mosque, they respect-

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204Ibid.
205Ibid.
206Ibid.
207Ibid.
208Ibid.
209Ibid.
210Ibid.
212Interview, Ronnie Watson, Commissioner, Cambridge Police Department, 6/13/03.
fully carried their shoes in their hands. This interaction was the beginning of a relationship between the Cambridge Police Department and Ali-Salaam that included the provision of cultural training to the police department and the inclusion of Muslim community members in a series of interfaith community events to commemorate September 11th.

**CHALLENGES**

While the Muslim, Arab and Sikh communities and law enforcement of Greater Boston face a number of challenges to their efforts to develop partnerships, they are not alone. Unlike Southeastern Michigan and Southern California, most cities in the country are like Boston in that they do not have well established historic relationships between law enforcement and the Muslim, Arab, and Sikh communities nor do they have well funded and organized community organizations, factors which significantly facilitate the development of strong partnerships.

**Media**

Misinformation about ongoing cases spread to the community by the media can be toxic to law enforcement-community partnerships. Boston faced a clear example of this challenge in the case of the Ptech investigation.

PTech Inc. is a Quincy, Massachusetts-based software firm that was started in 1994 by co-founders Oussama Ziade, who had originally come to the U.S. from Lebanon to study at Harvard, and James Cerrato. Between the time the company was founded and September 11, 2001, the firm developed an extensive list of clients for their software which was designed to graphically represent large amounts of information. Among these clients were the Federal Bureau of Investigation, the Air Force, the Navy, and NATO.

In October of 2001 the name Yasin al-Qadi, a business man from Saudi Arabia, began appearing on a government list of individuals and organizations suspected of funding terrorist organizations. This turn of events impacted Ptech because, according to CNN, in 1994 al-Qadi had invested $5 million of the $20 million dollars Ptech raised from approximately fifty investors. According to Ptech management, they became aware that al-Qadi’s name had surfaced on the government’s list but, because al-Qadi was never a shareholder of record and because he turned down additional requests for funding they report that “[our] lawyers suggested there is nothing that needs to be done.”

Law enforcement became aware of the connection between al-Qadi and Ptech and on the evening of December 5, 2002 federal agents arrived at the Ptech office where they executed a search warrant. According to press reporting, Ptech CEO Oussama Ziade said he was happy to assist the FBI and granted authority for the search and the federal agents agreed to be discreet about their search (parking their cars away from the Ptech offices) and to not leak word of their search to the media. During the course of the search, Ziade met with federal agents, described Ptech’s relationship with al-Qadi, and was assured that “neither Ptech nor its employees or officers [were] the target of the investigation.”

As the search was wrapping up in the early morning hours of December 6, 2001, the parking lot of the Ptech office building began to fill with reporters and photographers from the media who had been leaked information from an unknown source about the ongoing investigation. The media coverage that followed the search of Ptech was far from accurate. The media described the search as a “raid” of the Ptech office, and insinuated that in regards to Ptech’s investors there was “at least one of whom is now suspected of having ties to Osama bin Laden’s al-Qaida terrorist network” and in some cases suggested that Ptech employees had been arrested. The inaccurate reporting prompted the OUSA to release a statement explicitly stating that a search was executed and that “The search was conducted in connection with an on-going financial investigation. Media characterizations of this as a terrorist investigation are premature.”

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212Ibid.
213Ibid.
214Ibid.
215Ibid.
216Ibid.
217Ibid.
218Ibid.
219Ibid.
220Ibid.
221Ibid.
222Ibid.
223Ibid.
The December 2002 statement from the OUSA about the Ptech investigation (which is still ongoing today) also made explicit that there was no reason to believe that the software products sold by Ptech to the U.S. government were compromised in any way.\(^{222}\) Despite these clarifications, inaccurate reporting created a significant challenge for Ptech whose business has suffered drastically.\(^{223}\) In addition to the impact on Ptech and its employees, the media coverage of the Ptech search has had a significant impact on the ability of the community and law enforcement to establish relationships and develop working partnerships.

One reason that the media coverage of the Ptech search has been challenging for law enforcement-community partnerships is that Ptech’s CEO Oussama Ziade is a prominent member of the Muslim community in Boston. Thus, the community watched the media coverage with great interest and had many concerns about law enforcement’s intent in “targeting” an apparently innocent member of the Muslim community.\(^{224}\) These concerns fed the growing distrust of law enforcement felt by a large segment of not only the Muslim but Arab and Sikh communities as well.

In addition, law enforcement was put in the challenging position of needing and wanting to correct inaccurate media reporting through conversations and education opportunities with the community but being limited in their ability to do so by Department of Justice regulations and court rulings which prohibit them from discussing any active investigation (like Ptech) with the public. This created a sizeable challenge for building community relationships because, as Massachusetts Anti-TerrorismCoordinator Michael Ricciuti reported, it was difficult to have productive meetings and information sessions with the community during this time because the community was predominantly interested in sorting out the facts of law enforcement’s role in the Ptech investigation but law enforcement was prohibited from discussing it at all because it was an active investigation.\(^{225}\) In May of 2003, Ricciuti and FBI Supervisory Special Agent David Nodolski spoke at the mosque in Quincy, MA in an effort to address community concerns fed the growing distrust of law enforcement felt by a large segment of not only the Muslim but Arab and Sikh communities as well.

Another example of the media impeding community-law enforcement partnerships is The Boston Herald’s recent series of articles about the Islamic Society of Boston (ISB) and its supporters. The ISB, which is a social as well as religious organization, was formed in 1981 by a group of area students and academics. Today, ISB is pursuing a number of social and educational projects and is working to build a large mosque and cultural center in Roxbury, MA.\(^{226}\) In October 2003 and again in March 2004, The Boston Herald printed a series of articles, which drew a link between the ISB and a number of controversial individuals and organizations. The Herald also criticized ISB’s support for Ptech and claimed that ISB’s mosque-building project was funded primarily by donors in the Middle East.\(^{227}\) There is no public information available to indicate that the ISB is the subject of any on-going law enforcement investigation or that the Herald obtained its information from law enforcement sources.

Community members viewed these articles to be inaccurate, misleading and in some cases Islamophobic. Some feared that the articles would increase backlash and hate crimes against Muslims in Greater Boston. Community members also felt that although these articles were printed by an independent media outlet, law enforcement should have made an effort to publicly correct misinformation and show their support for the Muslim community.\(^{228}\) Law enforcement in Massachusetts continues to “take no position on the accuracy or lack of accuracy as to what the Boston Herald reported.”\(^{229}\) The FBI field office reports that they did respond to the negative Boston Herald articles by meeting with Dr. Yousef Abou-Aballah, Director, ISB; and the OUSA arranged a meeting with their informal community liaison, Muhammed Ali-Salaam to discuss community concerns and gain an understanding of the community’s perspective.\(^{230}\) This meeting, however, was not highly publicized in the community and many community members continue to believe that law enforcement responded with inaction, thereby, posing another challenge to partnership efforts.

\(^{222}\)Ibid.


\(^{224}\)PfP Greater Boston Community Focus Group, Anwar Kazmi, Islamic Council of New England, 1/24/04.

\(^{225}\)Interview with Michael Ricciuti, Anti-Terrorism Coordinator, United States Attorney’s Office, 4/4/03.

\(^{226}\)For more information about the ISB, its projects, and its response to allegations by The Boston Herald, see www.isboston.org.


\(^{228}\)PfP Greater Boston Community Focus Group, Salma Kazmi, ISB, 1/24/04.

\(^{229}\)Memo from Assistant United States Attorney Michael Ricciuti to Sasha O’Connell regarding: Partnering for Prevention and Community Safety: Draft of Boston Chapter; 4/23/04.

\(^{230}\)PfP Greater Boston Law Enforcement Focus Group, Teresa Lange, Supervisory Special Agent, FBI-Boston, 4/5/04.
The Fleet Bank Cases

A very public challenge to law enforcement – community partnerships in the Greater Boston area has been the Fleet Bank cases, which interestingly are driven neither by law enforcement nor the community. In November 2002, Fleet Bank closed the accounts of five Muslim and/or Arab-American individuals in the Boston area and in February 2003, it closed the accounts of three Islamic schools, a mosque, a Muslim-owned business, and at least 10 other Muslim individuals.\footnote{Leela Jacinto, “Muslim Blacklisting? American Muslims Accuse Banks and Other Financial Institutions of Discrimination”, ABC News, 6/11/03 available at: \url{http://abcnews.go.com/sections/us/Business/muslim030611.html}, accessed on 4/13/04.} The Bank reportedly gave no explanation for the closures other than it did not feel that the banking relationship was in its best interest and that it had a right to terminate a banking relationship at any point and without prior notice.\footnote{Ibid.} These types of abrupt account closures or denial of services by banks and other financial institutions have increased since September 11\textsuperscript{th}, primarily affecting Muslims and Arab-Americans.\footnote{Leela Jacinto, “Muslim Blacklisting? American Muslims Accuse Banks and Other Financial Institutions of Discrimination”, ABC News, 6/11/03 available at: \url{http://abcnews.go.com/sections/us/Business/muslim030611.html}, accessed on 4/13/04.} While Title II of the 1964 Civil Rights Act prohibits business from discriminating based on race, ethnicity, religion, or national origin, after September 11\textsuperscript{th}, private financial companies have been able to deny services to anyone they think is on a watch list or believed to be connected with terrorism.\footnote{Ibid.} However, there is no publicly available information that would indicate that any of the individuals or institutions that were subjects of the Fleet Bank account closures were the subjects of on-going law enforcement investigations.

In response to the Fleet Bank cases, some community organization such as the ADC-MA and the ACLU organized a campaign known as Fleet Flight to protest the Bank’s actions. Fleet Flight is a sustained, long-term campaign in which each week a number of community members voluntarily close their Fleet checking, savings, or credit card accounts. This campaign has focused community attention to the Fleet cases, which has increased awareness and in some cases fueled anger within the community.

While there is no indication that law enforcement requests or directives drove the Fleet cases, many community members are suspicious that these cases were solely the result of an overzealous private company, acting alone. Thus, these cases present an unusual challenge for law enforcement in its relationship with the community. Law enforcement representatives in the Boston area often find themselves defending their organizations and their lack of involvement in the Fleet Bank cases. From the community’s perspective, it is important for law enforcement to acknowledge the wide-ranging effects of the Fleet cases on the community. Additionally, in terms of approaching the community about partnerships, it is important for law enforcement to understand the commonly held suspicion of government involvement in these cases. Further, these cases are relevant for law enforcement nationwide as they received national attention from the media and community. Thus, the Fleet Bank cases exemplify how third-parties, whether the media or private industry, can influence partnerships between law enforcement and communities.

Community Perceptions of Government

According to both community members and law enforcement representatives in Greater Boston, a significant challenge to partnerships is the general lack of community understanding or familiarity with the details of American government operations. This unfamiliarity with government policies, procedures, and services is a problem with many segments of the American public but seems particularly acute in groups with large immigrant populations such as the Muslim, Arab, and Sikh communities in Massachusetts. At times such groups view the government not as different agencies and departments with different roles and objectives, but rather as one big, monolith or “officialdom.”\footnote{Ibid.} This perception of the American government extends beyond domestic agencies to US embassies and consulates overseas. A negative experience with American agencies overseas or at airports, at times shapes one’s perception of the government even before entering the US.\footnote{Ibid.}

Further, a positive interaction with a government agency or representative can be easily counteracted by a negative, more publicized experience. For example, one community member noted that in the past, the Muslim community in Irvine, California had a very positive relationship with the military, which began when the US Marine Base there allowed the Muslim community to use its facilities for Eid prayers.\footnote{Interview with Hussain Kazmi, Vice President, Hopkinton Muslim Community Center, 4/1/04.} The community member, however, felt that this positive interaction was overshadowed by the much more publicized arrest of a Muslim chaplain, Army Capt. James Yee, who served in Guantanamo Bay, Cuba. Capt. Yee was first held on suspicions of espionage but after the Army dismissed those charges he was found guilty on the non-criminal violations of adultery and improperly downloading pornography onto an Army computer.

\footnote{Interview with Hussain Kazmi, Vice President, Hopkinton Muslim Community Center, 4/1/04.}
was cleared of all charges on appeal.\textsuperscript{238} This incident heightened fears that Muslims, whether immigrants or Americans, serving in the US military were under suspicion by the U.S. government.

As many of the post-September 11\textsuperscript{th} issues faced by Muslim, Arab, and Sikh communities are complicated and handled by multiple agencies, community members are additionally frustrated when law enforcement representatives do not address their grievances and they feel caught in a ‘pass the buck’ scenario. For example, one often-told story is of community members bringing up negative incidents at the airport with FBI agents. While the community has been frustrated with these encounters because Federal agents outside the airport are often unable to provide adequate information about specific and personal situations, one can also understand the FBI’s inability to respond because airport security is not within their jurisdiction. From its perspective, law enforcement representatives feel that they cannot and should not be forced to answer for the actions of other government agencies or departments. This is at times perceived as an unwillingness of agencies to take responsibility for each other and is particularly troublesome in cases that require an urgent law enforcement response, such as hate crimes or hate incidents.

At times however the challenge lies not in a lack of understanding of operational realities but rather in differing perceptions of complicated realities. For example, different perceptions of post-September 11\textsuperscript{th} detentions of Muslim and Arab men as part of the PENTTBOMB investigations have been a point of contention in Greater Boston. Law enforcement in Massachusetts report that the widely held belief of community members that nationally, mass detentions took place in the weeks and months after the attacks is not based on fact but based on rumor and misunderstandings.\textsuperscript{239} However, from the community perspective, PENTTBOMB related detentions are an ongoing source of concern, fear, and distrust of law enforcement.

The detention of 762 men as part of the post-September 11\textsuperscript{th} investigations has been well documented in reports by civil rights organizations such as ACLU’s January 2004 report America’s Disappeared: Seeking International Justice for Immigrants Detained After September 11\textsuperscript{th} and the US Department of Justice in the April 2003 Office of the Inspector General’s (OIG) report.\textsuperscript{240} In terms of perspectives, while law enforcement representatives in Massachusetts note that the OIG’s report “discussed issues concerning the treatment of those arrested after September 11,” they are quick to emphasize that this report “did not find that those people were improperly arrested or detained, or that some process of detaining people, independent of the normal criminal or immigration process, was followed.”\textsuperscript{242} From the community’s perspective, however while these detentions may have been legal, the focus of concern is on the treatment of detainees and the appearance of racial profiling in the enforcement of immigration laws.

It is also important to note that most of these detainees were not charged with terrorism. However that does not indicate, as many community members believe, that they had no knowledge or connection with terrorist activities. For example, one immigration detainee who pled guilty to conspiracy to commit identification fraud and aiding and abetting the unlawful production of identification documents traveled overnight with two of the September 11\textsuperscript{th} hijackers.\textsuperscript{243} While in the case of detentions there is publicly available information to help clarify perceptions, many situations are not as easy to sort out. In cases where there is not public information available, it is particularly important for law enforcement and the community to recognize and respect each other’s perspective even if they do not agree.

Need for Accountability

Another challenge perceived by the Greater Boston Muslim, Arab, and Sikh communities is the lack of accountability to the community among individual federal law enforcement representatives. Many community members have cited the airport as a place where law enforcement representatives, namely Transportation Security Administration (TSA), Bureau of Citizenship and Immigration (BCIS), and Customs officials must acknowledge that they are representatives of the government and act accordingly. They must serve not only as law enforcement officials but also as ambassadors of the U.S., who every day influence how hundreds of foreign nationals perceive this country.

Community members do however report that their interactions with local law enforcement such as the BPD have by and large been positive. According to Hussain Kazmi of the Hopkinton Muslim Community Center, this contrast is perhaps related to the fact that local law enforcement is directly accountable to the community.

\begin{footnotesize}

\textsuperscript{238}Army Clears Guantanamo Chaplin”, BBC News, available at: http://news.bbc.co.uk/1/hi/world/americas/3627657.stm, accessed on 4/15/04. It is important to note here that while Chaplin Yee’s arrest was highly publicized in the national media, there has been little national media attention of him being cleared of all charges.

\textsuperscript{239}PfP Law Enforcement Focus Group, Mike Ricciuti, Anti-Terrorism Coordinator, US Attorney’s Office, 4/5/04.


\textsuperscript{241}“October 11 Detainees: A Review of the Treatment of Aliens Held on Immigration Charges in Connection with the Investigation of the September 11 Attacks”, p.2, Office of the Inspector General, Department of Justice, 4/03.

\textsuperscript{242}“Memo from Assistant United States Attorney Michael Ricciuti to Sasha O’Connell regarding: Partnering for Prevention and Community Safety: Draft of Boston Chapter, 4/23/04.


\end{footnotesize}
Local law enforcement representatives often live in and are an active part of the communities where they serve. As Kazmi notes, “I see the Chief at Boy Scout meetings.”

No Formal Structure for Communication

A significant challenge to community – law enforcement partnering efforts in the Greater Boston area is the lack of a formal, on-going structure for communication. This challenge, which was also noted in Southern California, greatly inhibits their ability to develop, maintain, and advance partnering efforts. Unlike Southern California, however, until very recently there have been no notable efforts in building such a structure in Greater Boston. This may be due to the relatively small size and lack of organization within the community and the inability of both the community and law enforcement to prioritize the partnering model.

National Directives

Post September 11th, the Boston Office of the FBI’s counterterrorism squad, in addition to their central role in the PENTTBOMB investigation, was working to meet the requirements laid out by USDJO that they conduct 117 voluntary interviews of nonimmigrant aliens who met a series of USDJO requirements. According to Supervisory Special Agent Teresa Lange, this project proved particularly challenging because: 1) USDJO required these interviews to be completed over a very short amount of time; 2) there were very few agents in the office on September 11th who had experience working with this community; and 3) the timeframe for conducting these interviews extended over the Muslim holy month of Ramadan.

SSA Lange sees the local FBI office’s hampered ability to effectively implement the post September 11th interview project as sharply contrasting with the Boston FBI’s ability to carry out USDJO mandated voluntary interviews of Iraqi’s in this country in the spring of 2003. In the case of the Iraqi interviews, she noted that unlike the first round of interviews following September 11th, the office was given enough time to plan and execute the interview project effectively. Specifically, in the case of the Iraqi interviews, the Boston FBI office had time to establish a uniform protocol for conducting these interviews, which was disseminated to all agents involved in the project during pre-interview briefings. The protocol for the interviews reminded agents to emphasize to community members that they were not required to talk with the FBI and it encouraged agents to utilize these interviews as an opportunity to ask community members if they (or anyone they knew) had been the subject of a hate crime or hate incident. While law enforcement clearly learned from the process, all accounts the interview project that immediately followed September 11th “raised concerns within the community” and there is general acknowledgement that it could have been done more effectively.

Community Organization

In Boston, from law enforcement’s perspective, there are “fissures in the [Muslim, Arab, and Sikh] community that are difficult to navigate.” This has been found to be true in two distinct senses. First, the Muslim, Arab, and Sikh communities in Massachusetts are large enough to have significant contact with law enforcement and to have other significant issues such as workplace discrimination and immigration challenges. However, currently the community is not large enough to be a focus of national community resources. Therefore, local community organizations tend to be under-funded and somewhat disjointed. Specifically, whereas community organizations such as CAIR and ADC have large well staffed offices in places like Detroit/Dearborn and Los Angeles, in Boston, as previously mentioned, CAIR does not maintain an office and ADC just hired their first full time staff person locally in 2004. Further, organizations like the SMART rely exclusively on volunteer assistance in Massachusetts. While individuals involved in these organizations do a tremendous amount of work solely relying on volunteers and limited staff assistance, their resources are extremely limited. This lack of resources limits their ability to coordinate the time-consuming process of engaging in ongoing communication with law enforcement.

In addition to the lack of robust community organizations to support and staff partnership efforts with law enforcement, unlike the local Sikh community there is...
not a clear consensus within the diverse and dispersed Massachusetts Muslim and Arab communities that investing the time and resources necessary to establish an ongoing dialogue with law enforcement is necessarily a high priority. This lack of consensus is undoubtedly a result of a number of factors including the absence of an effective coordinating umbrella organization to help make priorities and create a strategy across these diverse communities, and the fragility of this small and diverse community. This makes them further apprehensive about initiating a relationship with the well-organized and relatively well-funded law enforcement agencies. In contrast, the Sikh community has been better able to utilize their tight-knit and relatively small religious community to set priorities and implement outreach efforts.

Further in Massachusetts, like many communities nationwide, there is a history of distrusting law enforcement. According to the community, this distrust and fear has been fueled by, among other things, the previously discussed situations with Ptech, Fleet Bank, and the ISB. This profound distrust and fear may be a significant factor contributing to the lack of focus on establishing law enforcement outreach programs. Whatever the reasons, having local communities that are not particularly well resourced or organized and that have not overtly prioritized coordination efforts with law enforcement, presents a significant challenge to establishing local partnerships.

LESSONS LEARNED

Need for a Formal Mechanism for Communication

The experience of law enforcement and the community in Boston exemplifies the need for the creation of a formal, ongoing mechanism of communication between these two groups. Without standing lines of communication, law enforcement and the community become dependent on individuals for communication and interaction. This arrangement has a number of drawbacks including: limiting the perspectives included in the exchange; minimizing the distribution of information gained through these interactions; and leaving communication lines susceptible to changes in personal priorities and personnel assignments.

No Quick Fix

In order to create a formal mechanism for communication between law enforcement and the community, it is clear in Boston that simply importing a model that has worked in other parts of the country would be counterproductive. Specifically, taking immediate steps to organize an formal advisory board for the community along the lines of the BRIDGES group in Southeastern Michigan or the one currently being planned in Los Angeles, would not be beneficial to the community or to law enforcement at this point in time.

This would be an inappropriate course of action because 1) there is no active standing community-law enforcement advisory board from which a group designed to specifically address the needs of the Muslim, Arab, and Sikh communities could be spun; 2) law enforcement in Greater Boston is still too tentative about what community partners they should and could effectively work with on such an advisory board to move directly to this type of organization; and 3) from the communities’ perspective, they are not currently organized and resourced to a level where they feel they could adequately and consistently represent their issues and concerns through such a formal (and labor intensive) communications mechanism.

“Begin at the Beginning”

While jumping directly into the establishment of a formal advisory board is not the appropriate next step in Boston, a plan for moving in the direction of establishing partnerships and ultimately a formal advisory board of some kind has emerged and has received at least preliminary support from both the community and law enforcement representatives locally.

Since both the community and law enforcement are somewhat wary of jumping into a formal committed structure, beginning with a series of separate, facilitated briefing sessions for law enforcement and the community has been proposed. At this stage, community representatives would meet with a facilitator and a trainer to discuss: their concerns about meeting with law enforcement; who would best represent their communities in collaborative dialogues; the development of a vision and strategy for their work with law enforcement; and ways to deepen the learning about each of the law enforcement agencies and what their roles and responsibilities include in order to prepare for dialogue sessions. On the
law enforcement side, they too should begin by meeting with a facilitator and a trainer in order to have the opportunity to learn about: what they can expect to hear from the community; information about the cultural and religious make-up of their local communities; and well as more information about the relevant national and local community organizations.

Following these briefings, the community and law enforcement would be asked to select a diverse group of representatives who would be available to participate in once monthly meetings over the course of the next calendar year. Once these commitments were made, these groups would begin meeting with the help of a facilitator. The focal point of this series of roundtables would be the community and law enforcement representatives working together to clearly define a mission for the group (such as increasing public safety) and a strategy for achieving that mission (this would be focused on increasing community-law enforcement communication and coordination). Once the mission and strategy were clearly defined, a facilitator would begin working with the group to begin the process of developing a collaborative plan for implementation.

In addition to working together to develop a plan for increased communication and coordination, these round-table meetings would provide an opportunity for law enforcement and the community to begin to get to know each other and exchange information—the foundations of trust. After the completion of these meetings, which could last up to a year but could reach resolution sooner, this group would begin to transform itself into the kind of formal working group required to begin implementing a jointly developed action plan. By “beginning at the beginning” and offering training and collaborative work opportunities to develop mutually beneficial goals, law enforcement and the community in Boston could begin the process required for partnership.