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**UNITED STATES FILES CIVIL RIGHTS LAWSUIT
AGAINST NEW YORK STATE CORRECTIONS DEPARTMENT**

MICHAEL J. GARCIA, the United States Attorney for the Southern District of New York, and WAN J. KIM, Assistant Attorney General for the United States Department of Justice, Civil Rights Division, announced that the United States filed a civil rights lawsuit in Manhattan federal court today against the New York State Department of Correctional Services ("DOCS") -- the agency responsible for operating New York State's prisons -- alleging that DOCS has engaged in a pattern or practice of employment discrimination on the basis of religion. Specifically, the Complaint alleges that DOCS discriminates by refusing to accommodate, under any circumstances, the religious practices of uniformed security personnel who are unable to comply with DOCS's uniform or grooming requirements because of their religious observances, practices, or beliefs. According to the Complaint filed by the Government:

DOCS employs more than 31,000 persons, approximately 21,000 of whom are uniformed security personnel, including correction officers. DOCS's uniform and personal grooming standards do not recognize any exceptions based on religious practice, and DOCS enforces a policy of refusing to grant any religious accommodation to uniformed security personnel that would alter DOCS's requirements, even when the requested accommodation would not pose an undue hardship on DOCS.

The Government filed its lawsuit under Title VII of the Civil Rights Act of 1964, which prohibits employment discrimination on the basis of religion and requires employers to

reasonably accommodate the religious practices and observances of their employees. Federal law obligates employers to reasonably accommodate the genuine religious observances and practices of their employees, unless doing so would cause an undue hardship for the employer.

The Government's lawsuit also alleges that DOCS discriminated against ABDUS SAMAD HAQQ -- a Muslim correction officer employed by DOCS -- by refusing to reasonably accommodate Mr. HAQQ's religious practice of wearing a kufi, or skullcap. Mr. HAQQ had worn a kufi on the job for years without incident, but was ordered to stop wearing his kufi in 2005 because it was prohibited by DOCS's policy regarding uniforms. The Government filed its case as related to a private lawsuit previously filed by Mr. HAQQ against DOCS, Hagg v. New York State Department of Correctional Services, 06 Civ. 8156 (S.D.N.Y.), which is now pending before United States District Judge HAROLD BAER, JR. While Mr. HAQQ's lawsuit seeks an order requiring DOCS to permit him to wear his kufi, the Government's lawsuit seeks broader relief: an order requiring DOCS to adopt a uniform and grooming policy that reasonably accommodates the religious observances, practices, and beliefs of all DOCS uniformed security personnel.

Mr. GARCIA stated: "All Americans, regardless of their religious beliefs, are entitled to equal opportunity in the workplace. Federal law protects that right by requiring employers to make reasonable accommodations to their employees' religious practices, unless doing so would cause undue hardship to the employer."

"Americans are not required to abandon their religious beliefs when they report for work," said Mr. KIM. "The Justice Department is committed, through the First Freedom Project and vigorous enforcement efforts, to protect the religious liberties guaranteed by federal law."

Assistant United States Attorney BENJAMIN H. TORRANCE is in charge of the case.

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