

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

MUSLIM COMMUNITY ASSOCIATION  
OF ANN ARBOR, et al.,

Plaintiffs,

Civil Action No. 03-72913

v.

Hon. Denise Page Hood

JOHN ASHCROFT, in his official capacity  
As Attorney General of the United States,  
et al.,

Magistrate Judge R. Steven Whalen

Defendants.

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**DECLARATION OF JOHN DOE**

John Doe declares as follows:

1. I am a member of the Muslim Community Association of Ann Arbor (“MCA”).
2. I am using the pseudonym of “John Doe” because I wish to remain anonymous and I do not want to draw attention to myself.
3. Before passage of the Patriot Act, I was very active with MCA.
4. I was also outspoken on social and political issues affecting Muslims. I exercised my right to free speech and openly criticized several U.S. policies.
5. After the USA PATRIOT Act was enacted, I learned that a section of the law granted powers to the government to obtain private records and other information about me and other Muslims even if it did not have reason to believe that I had done anything wrong. I also learned that if the government used this new power I would never find out because the law forbids people served with an order for records or other information from revealing that they were given such an order.
6. After the terrorist attacks of September 11, 2001, it appeared to me that the government was targeting Muslims and Arabs in this country. Hundreds of Muslim and Arab men

were detained without charges and sometimes without access to their families or lawyers after the attacks even though it appears that none of them had anything to do with the attacks. Only visa holders from predominantly Muslim and Arab countries were coerced into attending “voluntary” interviews with the FBI. The government announced that it would focus on deporting immigrants with outstanding deportation orders (absconders) from predominantly Muslim and Arab countries even though the absconders from these countries made up only a small fraction of the total absconders in United States.

7. I am a friend of Rabih Haddad, a former leader of the Muslim Community Association. When Mr. Haddad was arrested on the last day of Ramadan in 2001, and the government refused to release him on bond for “national security” reasons, it became clear to me that the Justice Department could and would focus its attention on MCA and its leaders. Although Mr. Haddad was reportedly arrested for, and eventually deported for, overstaying his visa, it was clear to me that he was targeted because of his role as a co-founder of a Muslim charity called Global Relief Foundation (GRF). I had made donations to GRF.

8. Although I had been very outspoken politically before passage of the Patriot Act, I became afraid after the Patriot Act was passed that if I continued to remain a vocal and visible Muslim, the government would target me for investigation and seek private records about me even though I had not done anything wrong.

9. While I was upset by several policies of the U.S. and would have ordinarily taken a leadership role in protesting these policies, I decided to step out of the limelight to lessen the chances that the government would target me for an investigation under the Patriot Act.

10. In order to stay out of the limelight and lessen the chances that the government would target me and seek records and other information about me under the Patriot Act, I stopped my activism with MCA and stopped speaking out on political and social issues.

11. In order to avoid drawing attention to myself and to lessen the chances that the government would target me and seek records and other information about me under the Patriot Act, I changed the way I made contributions to charity and no longer gave money to international Muslim charities.

12. In order to avoid drawing attention to myself and to lessen the chances that the government would target me and seek records and other information about me under the Patriot Act, I no longer signed petitions that I would have signed previously.

13. After the Patriot Act was enacted and I stopped my activism with MCA, I no longer exercised my right to visit certain websites addressing Muslim issues for fear that the government might obtain those records and make me the target of an investigation.

14. In order to stay out of the limelight and lessen the chances that the government would target me and seek records and other information about me under the Patriot Act, I stopped giving lectures on Muslim issues.

15. Attorney General John Ashcroft's recent announcement that the FBI had not yet invoked Section 215 powers has not alleviated my concern that Section 215 could be used against me in the future. The FBI still has the power to obtain private records about me and other Muslims by simply asserting to a secret court judge (a FISA judge) that it is seeking information about me as part of some ongoing terrorist investigation – even though they do not have any evidence that I have done anything wrong. In fact, the FBI could have sought records under Section 215 after Mr. Ashcroft's announcement and I would not know it.

16. The new government power to obtain information about me under the Patriot Act has been a reason why I have reduced my activism with MCA.

17. If Section 215 of the Patriot Act is repealed or ruled unconstitutional, I would be more likely to increase my activism with MCA and become more outspoken on Muslim issues again.

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge and belief. Executed on this day, November \_\_\_\_, 2003.

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John Doe