



Statement of Akif Rahman
June 27, 2005

Good morning. My name is Akif Rahman. I am a native-born citizen of the United States. I live in suburban Wheaton, Illinois, along with my wife Masooda and our two young children, Zakareeya, age four, and Nurah, age one. I own and run a technology consulting business. Like many other U.S. citizens, I travel abroad – sometimes for business, and sometimes for personal reasons including to visit family members.

Like all Americans, for our common safety and security, I adjusted to heightened security measures at our nation's airports after the terrorist attacks of September 11th. Long lines, the inconvenience of removing my shoes, and other newly implemented security measures quickly became part of my routine.

Beginning in March 2004, however, my experience dramatically changed, going far beyond the common encounters of other international travelers. Four times in fifteen months, federal border officials detained me for two to six hours upon my reentry to the country. The government has advised me that the sole reason for these detentions is the similarity between my name and the name of someone else on a government watch list. Yet my name is so universally common, it can be likened to "John Smith."

In May, this problem escalated to a degrading and humiliating situation during which I was detained for approximately six hours, shackled to a chair for approximately three hours, had my feet kicked apart while being searched, and was frightened for my physical safety. I also was isolated from my family, who were also detained, and very worried about their safety and well-being.

The lawsuit filed today is, unfortunately, the only avenue left open to me to protect my family and myself from being the victims of further harassment and abuse. I find myself afraid of what may happen every time I return from a trip outside the United States, and I will not stand by as things that happen to me get worse. I also hope this lawsuit can help other citizens who are suffering similar mistreatment by our government.

The first detention took place in March 2004 at Los Angeles International Airport. In August 2004, I again was detained on the jetway immediately after getting off of my return flight at Chicago's O'Hare International Airport. On both occasions, the detentions lasted for more than two hours. Each time, I was questioned repeatedly about my identity – even though I presented a valid passport, Illinois Drivers License, and Social Security card. Each time I felt humiliated in front of the other passengers and the public.

In September 2004, I was stopped at a United States screening area within the international airport in Montreal, Canada. Again, the detention lasted for more than two hours, and, again, the agents indicated that they were trying to determine my identity. Despite my presentation of three valid forms of identification, the agents' detention and questioning caused me to miss my flight back to Chicago and forced me to miss a meeting.

After this event – frustrated that the recurring detentions now had caused me to miss a flight and a meeting – I wrote to the U.S. Customs Service and other federal agencies trying to determine why I continued to be stopped.

In April of 2005, I received a letter from the federal Immigrations and Customs Enforcement office responding to my letter. That letter informed me that the government was detaining me on reentry because my name was a "near match" for someone on one of the watch lists maintained by the government. Indeed, to quote the government letter, my problems were the "direct result of an unfortunate misidentification scenario." The letter indicated that the Office would take what actions they could in order to remedy this problem. Their final suggestion was that I carry several forms of identification during my travels – despite the fact that I always carry my U.S. passport, my Illinois driver's license, and my social security card.

Whatever comfort I should have drawn from the April letter from the government collapsed on May 8, 2005 – when I was traveling by car with my family on a return trip from Canada.

On that day, I was detained for approximately six hours – extensively questioned, physically manhandled by a federal officer, and handcuffed to a chair for approximately three hours. All the while, my family was detained and kept isolated from me.

We arrived at the customs station at the Detroit-Windsor Tunnel on the afternoon of May 8th, returning from a visit to family in Canada. Like everyone else in line that day, we provided our passports and other information for the officers. While others traveled on, I was ordered to turn off our family car and surrender the keys. Two other agents appeared and took me away from my family – humiliating me in plain view of other drivers at the tunnel crossing, and frightening my children.

I was isolated in a room. An officer took my cell phone. I was questioned. An officer asked me to empty my pockets. I did so. I was then told to face the wall, put my hands against the wall, and spread my feet. I did so. An officer yelled at me to spread my legs further – before I could do so, the officer kicked my legs apart with great force. He then demanded that I take my shoes off – before I could complete the request, he kicked one shoe off my foot. At this point, I was frightened that the unprovoked physical violence would escalate further and I was scared for my own safety. I was also worried about what these government agents were doing to my wife and children.

With my shoes off, I was led into another room. There, I was handcuffed to a chair. When I was moved to another room, my hands were handcuffed behind my back. I was then shackled to another chair.

Throughout my detention, I had two federal officers posted to guard me at all times. I was afraid and humiliated. I simply could not believe this – I am an American born citizen, simply re-entering my own country. I'd proved my identity, cooperated at every step, and yet was being treated like a criminal.

Later, I was escorted to another room and asked dozens of questions. Many of the questions puzzled me, including: did I know any of the September 11th hijackers; and had I ever given money to a terrorist group or known anyone who had. These made me feel like a suspect – not an American citizen returning home from a visit to family in Canada.

More importantly, none of these questions had anything to do with proving my identity or resolving the “misidentification scenario” that the government had told me was the cause for these detentions.

During this harrowing experience, I asked if the handcuffs were necessary. Two federal officers at the Detroit-Windsor Tunnel told me that the handcuffs were part of standard procedure.

It was not my desire to initiate this litigation. However, given the escalating nature of these repeated stops, the threatening way in which I and my family were treated at the Detroit -Windsor Tunnel, and the failure of my many letters to the government to solve this problem, this lawsuit seems to be the only way to resolve this situation and insure that this degrading process is not repeated.

I have heard of other United States citizens who also have been unreasonably detained like me and my family. I hope this case helps them too. More importantly, I would like the government to change their policies and procedures to ensure that United States citizens are not repeatedly stopped when returning home.

All of us want to be safe from terrorism. However, we are not made safer when innocent American citizens like me are detained, led away from their family by guards, roughed up and searched, detained for six hours, and handcuffed to a chair – simply to re-enter their own country of birth.

Thank you very much.