

# Seyed Mousavi: Guilty of Being Muslim in Police State America

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Seyed Mousavi is a US citizen of Iranian decent. A “family man, and a tireless servant” of the Southern California Muslim community where he lives and helped found the Islamic Shura Council of Southern California (ISCSC). It states its mission as follows: “to promote communications, understanding, cooperation, and coordination among the Muslim communities in Southern California at all levels (and) to help in the practice and propagation of Islam in the United States of America.”

In 2000, Mousavi also founded the Hejrat Foundation. A Southern California religious, educational and charitable organization to do the following:

- “educate Muslims and non-Muslims about Islam;”
- teach them about issues affecting their lives;
- work toward positive social progress;
- build unity among people of all faiths; and
- serve their needs “to improve their standard of living and assist in their economic advancement;” at first locally, then nationally and internationally.

Through Mousavi’s direction and efforts, Hejrat became associated with the UN through its Department of Public Information (DPI)-NGO. Also under Hejrat, he administers the Al-Nabi Mosque and its broad range of activities. Including programs to educate people in religious, cultural, humanitarian, legal, national, and international issues of importance. It reflects his outreach and concern for others and why he’s respected as a pillar of the community. Not a

man supporting violence or terrorism.

Prior to founding Hejrat, Mousavi had broad and impressive goals. Well beyond religious ones. Encompassing a wide range of charitable initiatives. For schools, libraries, homeless shelters, free medical clinics, orphanages, domestic violence shelters, food banks, and various other community-related needs. More recently to raise funds for Midwest flood victims. Also focusing on youths to provide them the best possible guidance and support. They, in turn, express gratitude for how he changed their lives for the better.

Hejrat and the Islamic Shura Council promote peace and understanding. Not conflict and violence and do it through a broad outreach program. But it's not how the Bush administration sees them in its "war on terror" against anyone of Muslim faith. They treat them like enemies of the state. The way Nazis targeted Jews, Israelis Palestinians, and the strong do against the weak nearly everywhere. It's state-sponsored viciousness inflicting grave harm in defiance of the law or any sense of justice and fairness. It goes on because who'll stop it, and it means anyone may be as vulnerable as Mousavi. Especially prominent and activist Muslims at the wrong time in America.

### Mousavi's Background

He was born in May 1948 in Abadan, Iran and until arrested had no criminal history. He's the youngest of six children and recalls his childhood as stable and secure. One of his teachers remembers him as one of his best students. A simple person. An honest one. Always helping classmates. Chosen to lead prayers because of his academic success.

He studied physics at Jond Shapoor University. Graduated in the early 1980s. At age 18, he would normally have performed military service. He was exempted, however, because of poor vision and a bad back. In the 1980s, he never participated in the Iran - Iraq war that killed 53 members of his extended family.

On September 29, 1980, he was injured, however, when an incendiary exploded near him and caused severe injuries. Over the entire left side of his body. From his shoulder to his calf. He lost a finger on his left hand and sustained nerve damage. Underwent multiple surgeries. Electric stimulation with needles and extensive physical therapy. More surgery in Vienna to help restore mobility to his left arm. Nonetheless, he retained shrapnel in his body and one fragment close to his heart. Iran classified him as 40% disabled, and to this day he's lost partial use of his body's left side.

In 1986, he and his family emigrated to America and settled in Southern California. Because of his physical limitations and pain, he focused increasingly on spiritual activities. Became involved as a “lay minister” in the Muslim community. Active with youths and in allaying sectarian tensions.

An Islamic Society of Corona and Islamic Shura Council of Southern California board member wrote in his behalf:

*he’s a “hard-working, generous man. His dream was for a society of mutual understanding and respect. He encouraged interfaith dialogue and....pioneer(ed) in the 1980s (in) establish(ing) the Shura Council.... in 1995. It contributes....through joint research studies with many interfaith leadership organizations, collaborative social justice projects with non-governmental organizations and community based” ones.*

The Islamic Society of Orange County’s Vice-Chairman called him a “bridge builder” between Sunni and Shiite Muslims and among people of all faiths. A dedicated man promoting “peace, harmony and understanding between humanity.”

To support his family, he held various jobs. Selling used cars. Driving a tow truck and as a clothing store sales manager. Later a Radio Shack sales associate and installing satellite dishes. All the while, he was active in the Muslim community, with the Shura Council and area mosques. Teaching classes for children. Engaging in a wide range of activities.

According to people who know him, he holds a more liberal Islamic vision than is typical in local mosques. His speaker program included children as well as scholars and Imams. He also provided a forum for youths to express concerns they’re reluctant to tell their more traditional parents.

Among his many activities, he served as president of the San Bernardino United Islamic Youth Organization and its management of the only Southern California Muslim cemetery. A small mosque on its grounds as well.

In 2002, he attended a three-week Hajj pilgrimage to Mecca for the first time. It moved him so profoundly that he organized his own groups. Personally led them until he was incarcerated. Made it possible for many lower income people to go through discounts, special payment plans and loans.

His friends describe him as religious with a passion for performing tangible good works. Helping others. Building bridges, and improving the lives of people around him. After his arrest, over 100 individuals wrote letters on his behalf. About his character and respect for his work.

## Arrest and Charges

On June 29, 2006, his ordeal began when the FBI and IRS raided his home and confronted him and his family at gunpoint. At 6AM, they heard loud banging on the front door and agents screaming “Emergency! Come out of the house NOW!” The family was terrified and responded. Agents swarmed in, and at the same time raided Mousavi’s Al-Nabi Mosque. They were given keys but broke in. Damaged furnishings, and seized files, computers, recordings and other items still held as evidence even though nothing incriminating is on them. They followed the same procedure at Mousavi’s home where he and his son were handcuffed. His family detained for hours. Supposedly on the pretext of not reporting income for tax purposes. It was bogus and just the beginning.

Muslims connected with the Hejrat Foundation were also questioned but not about taxes. About Mousavi’s perceived political views. Alleged connections to the Iranian government, and beliefs of past religious scholars who spoke at a Hejrat-administered mosque. They were told it was “dangerous” and were asked to be informants, even though they assured agents that it’s only for worship and cultural gatherings. Not a den for “terrorists” or secret dealings with foreign governments.

The FBI, nonetheless, hounded Mousavi. On August 22, 2007, things came to a head. After early morning prayer, he was arrested outside his mosque and charged with six felony counts under the catch-all International Emergency Economic Powers Act (IEEPA). It’s used against innocent victims like Mousavi, other Muslims, or anyone the government wishes to entrap. Charges against him were bogus and included:

- two counts of violating IEEPA for doing business with a Kuwaiti company linked to two Iranian ones; that he “entered into a contract with Al Mal Kuwait Co. to provide (consulting) services (for a mobile communication license) prohibited by the US trade embargo against Iran;” also that he established a bank and leasing company in Iran;

- filing a false tax return that failed to report \$45,000 from Al Mal Kuwait Co. and another \$500,000 from his Hajj caravan travel “business;”

— impeding the administration of tax collection;

— illegally procuring citizenship by making false statements under oath; when asked, for not disclosing his (FBI-claimed) military service and affiliation with the following Iranian organizations:

(1) the Islamic Revolutionary Committee;

(2) the Islamic Revolutionary Court;

(3) the Office of the Governor General;

(4) the Housing Foundation in Khuzestan Province;

(5) the Committee of the Center for Industrial Expansion in Khuzestan Province;

(6) the Welcoming Committee of Imam Ummat (Ayatollah Ruhollah Khomeini);

(7) the Tribal Center of West Azerbaijan Province; and

(8) the Office of Public Security; as well as

— making a false statement to federal investigators by not divulging the above information to FBI and IRS agents when questioned.

The charges against Mousavi are bogus. They have no basis in fact. Yet on April 24 he was convicted on all counts. He's been held without bail at the Los Angeles Federal Detention Center.

October 6 was to be a sentencing hearing. Instead Mousavi's lawyer, Ronald Kaye,

submitted a motion for a new trial but was denied. He based it on substantial new evidence of Mousavi's innocence. Presented documents disproving the charges. Showed he never performed Iranian military service. That he was ordered to take government positions during the 1980s Iran - Iraq war. That the Welcoming Committee for Imam Ummat was a loose collection of "thousands/millions" of Iranians in 1979 welcoming Ayatollah Khomeini's return from exile. That money wired to him wasn't income, it was a loan. No contractual work was done. The Iranian embargo wasn't discussed nor did Mousavi do anything to violate it.

Kaye also asked that the Probation Officer's recommendation letter for Sentencing be revealed. This request was also denied.

October 14 might have been much grimmer for Mousavi. The prosecutor asked for a nine-year sentence. Instead he received 33 months imprisonment on three counts. All bogus and unjust.

For:

- filing false tax returns;
- omitting group membership on naturalization forms; and
- violating the US embargo against Iran.

His family will now ask the Ninth Circuit US Court of Appeals to review the lower court's ruling, reverse the three charges and grant Mousavi justice. Otherwise, he'll remain confined despite his innocence.

### Mousavi's Pre-Trial Ordeal

Since his August 22, 2007 arrest, Mousavi has been held in detention. At first, his \$300,000 bail request was granted, but when prosecutors appealed it was denied. A \$1,000,000 offer as well. In property offered by friends. The reason: that he was a flight risk to Iran in spite of going well out of his way to cooperate. Help authorities in their investigation and notify them (without being asked) of any planned foreign travel. He also offered but was denied the right to be under modified house arrest by wearing an electronic tracking device at all

times.

At his bail hearing, prosecutors failed to substantiate their charges. They merely accused Mousavi of “high (Iranian) connections.” Claimed he was a “terrorist,” and went further at a second hearing. They never charged him with terrorism. Yet they presented classified “terrorist connections evidence” but denied his counsel’s access to it so there’s no way to rebut it.

Police state tactics denied Mousavi his rights. He remains unjustly detained, tried, convicted, and sentenced on bogus charges that will keep him imprisoned for another 33 months without an Appeals Court reversal. Like many others today, he’s a political prisoner in Police State America. Victimized by the Bush administration’s war on Islam and against anyone it calls a threat.

### Mousavi’s Ordeal in Detention

In detention, false rumors were spread to intimidate him. That he was a “terrorist” so his fellow inmates would shun and possibly harm him. Ever since, he’s been endangered, and it was just the beginning of his long ordeal.

Food is another issue. Getting a proper amount, sufficiently nutritious, and allowing for Mousavi’s religious-based dietary restrictions. He requested what Islamic law allows, but instead got (prison-style) “kosher” that doesn’t comply. He then suggested vegetarian choices but got vegetables alone that fall way short of a balanced diet. Things worsened on court days and during solitary confinement periods. The result – for a while his diet was inadequate. He lost considerable weight, and his health was affected.

Essential medical treatment is also crucial for a man in his condition. Being 40% disabled from previous severe injuries. He has constant knees and back pain and gets weaker every day. Yet he was malnourished, denied care, and on court days kept chained and shackled for up to 12 hours ahead of proceedings. It constrains his movements. Causes severe pain, and requests for relief were ignored. For an entire court day, he got a cup of juice and a bologna sandwich that his diet forbids him from eating.

Yet for a time his ordeal worsened. On October 22, 2007, he was placed in solitary confinement. Told it was for “security reasons.” Got no food or water the first day, and held there for a month. His Quran and prayer book were removed (later returned), and he got unheated vegetables plus some sparse purchased food that was cold and uncooked.

At night, he had one thin blanket that was inadequate. As a result, he was cold and shivered until morning. In addition, glaring cell lights stayed on 24 hours a day. He got one shower a week in scalding hot water. His toilet flushed once a day only. Noise on his floor was loud and nerve-racking. Sleep nearly impossible. Proper hygiene as well. Mousavi became severely ill. His knees and back pain increased, and remediating medical attention was denied.

He got one call a week for a limited few minutes plus two weekly one-hour family visits in shackles and double handcuffs. At first in a glass-separated room. Throughout his solitary confinement, he never knew why he was there. He broke no prison rules, yet was cruelly and inhumanely punished. To exert control. Crush his spirit. Dehumanize him, and inflict great pain and suffering for being Muslim at the wrong time in America.

Harsh treatment continued in the general prison population. He lost phone privileges for six months and got spurious reasons why. His appeal for reconsideration was denied and an extra year tacked on plus 30 days of no family visits. Other harassment as well that left him shaken and traumatized. Daily disruptive cell searches and efforts to convince other prisoners he's dangerous.

Plus unsettling floor changes. Regular prayer schedule disruptions. Lengthy delays getting mail, and having no access to books, computer literature print-outs, and other non-threatening material. It was a systematic scheme to destroy him. Emotionally and physically, and it affected him and his family who can do nothing to stop it.

His trial preparation was also impaired. Phone privileges were denied. During family visits, pens and paper weren't allowed, and he couldn't mail or receive legal documents to review in advance. He had limited face-to-face meetings with his lawyer and prevented from reaching him by phone. He was obstructed throughout his confinement, and it showed in court.

After conviction, Mousavi was returned to solitary confinement (on May 22), and it took its toll. He was isolated in a small room. Restricted to uncooked zucchini and cauliflower plus occasional uncooked rice that's inedible. After June 21, he was denied permission to buy food and water from the prison store. Previously, limited amounts of dates, oatmeal and chocolate were allowed. No longer for a time. In addition, all phone access was denied for another three years. These and other punitive measures were employed until finally they were relaxed later on.



It was classic police state justice. A common DOJ practice against “war on terror” targets. Figures like Sami Al-Arian, Rafil Dhafir, Sheik Mohammed Ali Hassan Al-Moayad, Mohammed Mohsen Yahya Zayed, and Lynne Stewart. Known for their prominence, leadership positions, charitable efforts, affiliations with Islamic organizations, or in the case of Lynne Stewart for being a notable civil rights lawyer. Devoting 30 years of her life championing the rights of the poor and underprivileged. Defending society's unwanted and controversial figures never afforded due process without an advocate like her.

On April 24, after three days of testimony, a jury convicted Mousavi on all counts. In spite of bogus evidence and the defense given no right to call witnesses or introduce refuting documents. A Kangaroo Court process that denies judicial fairness in most federal courts.

On each of six counts, here's what jurors never heard. Because defense counsel was late filing motions for experts to testify. The trial judge disallowed them and was within his right to do it. But it cost Mousavi dearly.

He lost money in the two years he was accused of paying no taxes. The alleged \$500,000 from the Hajj Company (and Umrah Services) was from a non-profit Hejrat Foundation enterprise. It arranged Hajj pilgrimage trips to Mecca for religious purposes. It had nothing to do with “business” or an effort to yield “profits.” There were none. It was solely to help fellow Muslims perform their religious duties and connect with their spiritual roots. In the two years in question (2003 and 2004), the enterprise lost money. Prosecutors claimed it wasn't reported, Yet Hejrat's accountant wasn't allowed to testify and explain. Nor could expenses be presented to prove the non-profit Hajj Company had losses and owed nothing.

Regarding a supposed violation of the International Emergency Economic Powers Act (IEEPA) and breaking (and “intending” to break) the embargo under the Iranian Transactions Regulations, here's what, in fact, happened. In 2002, a Kuwaiti company wanted Mousavi for a consulting job and invited him over to discuss it. It wished to sell Iran cell phones and buy sand and gravel in return. It prepared an “Incentive Plan.” Not a contract. Listed the proposal in it, but ended up not pursuing it. Why? Because bureaucratic hurdles were too costly so the idea was scrapped.

Mousavi returned home and had no dealings with Iran or any of its companies. At trial, a government Office of Foreign Assets Control (OFAC) witness confirmed or at least implied that no contract existed, and no embargo violation occurred. Nonetheless, he was charged with one because the witness recalled another law, believed it applied, and if so the embargo was broken.

Regarding illegally procuring citizenship, Mousavi was falsely charged with lying under oath about not being an “active and ranking member of the Iranian military.” It was bogus like the other charges. As explained above, he was exempted from military service because of health and disability factors. His defense had Iranian government letters as proof but was prohibited from entering them as evidence, because counsel hadn’t presented them to the court.

The prosecution mistranslated documents to make its case. Another common anti-Muslim tactic. Misstate the language. Change its meaning. Present false evidence. Some that’s irrelevant. Prevent defense from refuting it, and claim justice prevailed. In this case, the Farsi words for “police department” on Mousavi’s (and all civilian licenses) were mistranslated to mean “military.” In addition, the terms “janbaz” and “cart-e janbazan” were misused with the latter one called a “Devotee” or “suicide mission squad” card. It’s actually a handicap one with an established international symbol stating degree of disability. Other documents were also mistranslated to “prove” bogus prosecution charges that unfortunately stuck.

#### A Final Comment

In a climate of fear, Muslims risk harassment, prosecution and incarceration. Especially prominent ones like Mousavi. His defense will appeal and seek exoneration at the appellate court level. For now, he’s incarcerated and subjected to dehumanizing treatment. For being Muslim in America at the wrong time. Only his inner strength sustains him. And the love and admiration of his family, friends and supporters. In today’s disturbing climate, we’re all Seyed Mousavis.

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